

LOCAL 175, UTILITY WORKERS UNION OF AMERICA, AFL-CIO  
BY-LAWS

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**LOCAL 175, UTILITY WORKERS UNION OF AMERICA, AFL-CIO  
BY-LAWS -- December 2006**

**PREAMBLE**

We, the Utility Workers Union of America, being a democratic organization, believe it to be natural, right and just that those who toil should enjoy to the fullest extent the wealth created by their labor, and that Labor, acting along economic and political lines, can secure a more equitable distribution of our nation's wealth for all those performing useful service to our society.

We realize that under the ever-changing industrial conditions, the enormous growth of corporations and the various other aggregations of capital, that other than through united industrial labor action it is impossible for us to obtain the full reward of our labor.

We know by the results of unity that when we are truly united as a labor force, that no reasonable demands we may make can be denied us. Therefore, as union members, we pledge to labor unitedly on behalf of the principles set forth herein, to perpetuate our organization on the basis of friendship and justice, to obey the laws as laid down for its guidance and government, to expound its objectives, and to always labor for its success.

**ARTICLE I**

Name

The name of this organization shall be Local 175, Utility Workers Union of America, AFL-CIO, and hereinafter will be referred to as the "Union".

**ARTICLE II**

Objective

SECTION 1. To establish through collective bargaining adequate wage standards, shorter hours of work and improvements in the conditions of employment for the Union workers.

SECTION 2. To unite all persons eligible for membership within the Union regardless of race, creed, color, or sex.

SECTION 3. To develop this Union to a better labor-management relationship.

SECTION 4. To secure legislation safeguarding the economic security and social welfare of the Union workers, to protect and extend our democratic institutions and civil rights and liberties, and thus to perpetuate the cherished traditions of our democracy.

**ARTICLE III**  
Membership

SECTION 1. Eligibility for membership in this Union shall be open to the men and women employed in the public utilities and related industries, or in any other place of employment coming under the jurisdiction of this Union or of the Utility Workers Union of America, hereinafter also referred to as the National Union, as set forth in the Constitution of the National Union, or any other person as recommended by the Executive Board and approved by the membership.

SECTION 2. When a member becomes unemployed in the jurisdiction of the Union, said member shall forfeit membership in the Union, including, but not limited to being discharged by the member's employer which is not overturned in the issue resolution procedure, unless such unemployment is caused by illness, leave of absence, or any other condition beyond the control of said member.

SECTION 3. A member in good standing is a member who is employed within the jurisdiction of the Union, or a full-time officer of the Union, and who has paid dues through the month prior to the month in which the member wishes to exercise the rights and privileges set forth in these By-Laws. All members in good standing have the right and duty to vote, and take an active part in fulfilling the objectives and purposes of the Union.

SECTION 4. No person proven or proclaiming to be of subversive intent to this organization or a member of any group subversive to our society (e.g., Communist, Fascist, Nazi, terrorist groups, etc.) can be a member of this Union.

**ARTICLE IV**  
OFFICERS AND UNION EXECUTIVE BOARD

SECTION 1. The elected officers and Executive Board of this Union shall be the President, Vice President, Secretary-Treasurer, two Trustees, one Killen Station Representative, one Stuart Station Representative, one Hutchings Station Representative, one Service Operations Representative Division I, one Service Operations Representative Division II, one Service Operations Representative Division III, one Northern Gas Representative, and one Southern Gas Representative.

The listing of representation is as follows:

Killen Station Representative - all members employed at Killen Station; Stuart Station Representative - all members employed at Stuart Station; - Hutchings Station Representative - all members employed at Hutchings Station; Service Operations Representative, Division I – all members employed at Electric Meter, AC Network, Materials Distribution Center, Telecommunications, Substation Services, Transportation, Services, Locating, Real Estate Services and Electrical Testing; Service Operations Representative Division II – all members employed at Customer Solutions Center, Customer Account Collections, System Operation & Dispatch, Construction Control Center, IS Operations, Financial Operations, Revenue & Controls, Distribution Engineering, Engineering Services, and Corporate Accounting; Service Operations Representative Division III – all members employed at Operations & Trouble Calls and Transmission Services; Northern Gas Representative – all members employed at Bellefontaine, Dayton West and Troy; Southern Gas Representative – all members employed at Centerville, Fairborn and Washington CH. If an employer changes its departments, job classifications or geographical locations so substantially that they are no longer reasonably applicable, the Executive Board may modify the assigned areas of representation for the remainder of the existing term of office.

The President, Vice President, Secretary/Treasurer, and two Trustees shall be elected at large by all members in good standing. The Killen Station Representative, Stuart Station Representative, Hutchings Station Representative, Service Operations Representative Division I, Service Operations Representative Division II, Service Operations Representative Division III, Northern Gas Representative, Southern Gas Representative, shall be elected only by the members in good standing they are designated to represent and shall be employed in the same area they are designated to represent.

SECTION 2. Should any Union Executive Board member be absent from three consecutive membership meetings or three consecutive Executive Board meetings, and fail to give a satisfactory reason for the absences, said Executive Board member shall be subject to having charges filed against said Executive Board Member and, as a penalty, be subject to being removed from office. (Article VIII, Section 7.)

SECTION 3. No person who is, or has been a member of the Communist Party, or any other subversive party or organization, or who has been convicted of any crime or violation that is described in the Labor-Management Reporting and Disclosure Act of 1959, can hold office in, or represent this Union.

SECTION 4. In order to assist Executive Board members in the performance of their duties, a training session will be held as necessary after the installation of the Executive Board.

**ARTICLE V**  
**DUTIES OF OFFICERS**

President

SECTION 1. The President, being a full time officer of the Union, shall be the Chief Executive Officer. Between Union Executive Board Meetings the President shall have the full power and responsibility at all times to direct the affairs of the Union. The President shall preside as Chairman of all regular meetings, special meetings, Union Executive Board meetings, and Negotiating Committee meetings, and shall be empowered to call special meetings and appoint all other committees, with the approval of the membership, not otherwise provided herein. The President shall be an ex-officio member of all committees unless otherwise provided herein and shall preserve order and enforce the By-Laws of this Union.

Vice President

SECTION 2. The Vice President shall assist the President in the performance of all duties and act in the absence of the President. In the event the President of the Union should resign, die in office, or leave office for any other reason, the President shall be replaced by the Vice President on an interim basis until a new President can be elected in accordance with Article VIII Section 7. The Vice President shall perform such other duties as may from time to time be assigned by the President of the Union.

Secretary/Treasurer

SECTION 3. The Secretary/Treasurer shall receive and account for all monies, pay bills authorized by the Union, prepare monthly financial statements for the Union membership, deposit monies, sign and issue checks, and authorize vouchers. The Secretary/Treasurer shall issue all official dues cards and keep per capita membership records to be reported to the National Office of the Utility Workers Union of America, AFL-CIO, and all other affiliated labor bodies. The Secretary/Treasurer shall keep the minutes and records of the meetings of the Union and the Union Executive Board, conduct any correspondence that may be directed by the President or Union Executive Board and arrange notices for all meetings. The Secretary/Treasurer shall notify all members of the forthcoming election of officers as set forth in these By-laws. The Secretary/Treasurer shall transfer the funds whenever it is judged necessary by either the Secretary/Treasurer or Union Executive Board. The Secretary/Treasurer shall perform such other duties as assigned by the President of the Union.

SECTION 4. There shall be an Executive Committee constituting of the President, Vice President, Secretary/Treasurer, who shall have the responsibility to periodically review the financial condition of the Union and to make such other review of the business and affairs of the Union as deemed necessary.

#### Trustee

SECTION 6. The two Trustees shall audit all books and records of the Union in the months of February and August and by special order of either the Union Executive Board, or a majority of the Union members present at any one general membership meeting. They shall safeguard all properties of the Union and in the months of February and August each year they shall take a physical inventory of all the Union properties. The Trustees shall be responsible for checking the proper and efficient execution of all the Union business. They shall submit a written report of their findings to the membership as soon as possible thereafter. The Trustees shall perform such other duties as may from time to time be assigned by the President of the Union.

#### Representatives

SECTION 7. The Union Executive Board shall establish the Representative's territorial responsibilities. The Representatives will coordinate major Union affairs among the head Stewards, the Union and other personnel in their area, as necessary. The Representatives shall also accept responsibility for special projects assigned by the President of the Union. (Reference Article V, and Article VIII.)

### **ARTICLE VI**

#### **DUTIES OF UNION EXECUTIVE BOARD**

SECTION 1. The Union Executive Board shall meet when deemed expedient, or as directed by the membership. The President of the Union shall be the Chairman of the Union Executive Board. Special meetings may be called by the Chairman, or by the Secretary/Treasurer upon the request of six members of the Union Executive Board.

SECTION 2. A simple majority of the Union Executive Board shall constitute a quorum.

SECTION 3. The Union Executive Board shall execute the instructions of the membership body, and by a majority vote may advise or control the course of action of any and all of the Union Officers and Committees, except as provided herein.

SECTION 4. The Union Executive Board, with the approval of the Union membership, may fix the hourly compensation to be paid to any member, officer, or other person employed by the Union, provided such compensation shall not exceed the maximum wage paid in the bargaining unit. It shall also determine the financial arrangements necessary to insure that the business of the Union functions orderly. It shall perform all of the duties necessary to a proper administration of the affairs of the Union consistent with the Union By-Laws.

SECTION 5. The Union Executive Board shall act as a Grievance Committee and shall make a full and complete inquiry into the merits of all grievances/issues that are referred to it and determine if said grievances/issues shall proceed to mediation and/or arbitration.

SECTION 6. The Union Executive Board shall act as a Trial Committee to hear charges, and to report to the membership the results of its investigation. (Reference Article XVI.)

## **ARTICLE VII**

### **STEWARDS**

SECTION 1. The Union Executive Board shall determine the number of Head Stewards, Stewards or Assistant Stewards to be elected from each department, plant, building, shift or crew. Vacancies in the position of Head Stewart, Steward or Assistant Steward may be filled by appointment by the President.

SECTION 2. All steward positions shall be elected during the month of March each year. In the event that any group fails to elect a steward, and after efforts of the officials of the Union fail to elect a steward, the President may appoint a Steward. The term of all elected stewards shall begin May 1 of each year.

SECTION 3. It shall be the duty of all elected stewards to represent the Union or member wherever or whenever called upon. They shall be familiar with the Collective Bargaining Agreement in order to successfully administer it at all times. In order to assist all stewards, a school will be held after each collective bargaining agreement negotiation to review changes, when possible.

SECTION 4. The Head Stewards are responsible for calling meetings of their group, assisting the Stewards and Assistant Stewards in the handling of grievances/issues, or any business pertaining to their designated areas when necessary.

SECTION 5. The Stewards are responsible for calling meetings of their group, handling grievances/issues, or any business pertaining to their areas when necessary.

SECTION 6. Head Stewards, Stewards and Assistant Stewards are also eligible for offices on the Union Executive Board.

**ARTICLE VIII**  
**NOMINATION AND ELECTION OF OFFICERS**

SECTION 1. An election of officers will be held every three years during the month of April. Prior to the March meeting of the election year, a notice will be included in the Union newsletter notifying the members that nominations for Officers will be held at the March membership meeting. At least seven days prior to the March meeting there will be a notice posted on bulletin boards notifying the members of the intent to nominate for office. A notice of the forthcoming election will be mailed to each member's last known address at least 15 days before the election.

SECTION 2. All nominations for the following offices shall be held at the March membership meeting of the election year in the following order: President, Vice President, Secretary/Treasurer, two Trustees, Killen Station Representative, Stuart Station Representative, Hutchings Station Representative, Service Operations Representative Division I, Service Operations Representative Division II, Service Operations Representative Division III, Northern Gas Representative and Southern Gas Representative., The Chairman shall accept nominations until a call for further nominations has been made three (3) times by the Chairman without further nomination being made.

The President, Vice President, Secretary/Treasurer, and two Trustees shall be elected at large by all members in good standing. The Killen Station Representative, Stuart Station Representative, Hutchings Station Representative, Service Operations Representative Division I, Service Operations Representative Division II, Service Operations Representative Division III, Northern Gas Representative (Bellefontaine, Dayton West and Troy), Southern Gas Representative, shall be elected only by the members in good standing they are designated to represent and shall be employed in the same area they are designated to represent.

Nominations may be submitted in writing and signed by the member placing the nomination to the Secretary/Treasurer during the 30 days prior to the March membership meeting. The Secretary/Treasurer shall announce the written nominations received at the time nominations are accepted from the members present at the meeting.

SECTION 3. Within five days following the date of nominations the Secretary/Treasurer shall, by certified mail, notify each nominee of his/her constitutional obligations in order to be a candidate. The necessary forms for each nomination shall be enclosed, to be returned in person or by certified mail returned receipt requested no later than 10 days following the day of nominations of the nominees' desire to be a candidate. Failure to provide the required notification within the prescribed time limit will automatically eliminate the nominee as a candidate. No member can be a candidate for more than one office.

SECTION 4. Prior to the election, the Tellers Committee, as selected pursuant to Article XIV, Section 7, shall compile a voter eligibility list including each voter's full name and last known post office address. Only members in good standing, who have paid their dues for the month preceding the month of the election, will be eligible to vote. Voting for officers shall be by secret ballot by mail referendum. The Tellers Committee shall send to each eligible voter a voting ballot, a secret ballot envelope in which the voting ballot shall be placed to safeguard the identity of the voter, a self-addressed stamped envelope in which the secret ballot envelope containing the voting ballot shall be placed for the return of the ballot, and voting instructions. Voting instructions shall specify the cut-off date for counting the return ballots. The cut-off date shall be established by the President. The Tellers Committee will work with the Union's Secretary/Treasurer in order to expedite the preparation and mailing of the ballots. Five days after the cut-off date, two (2) members from the Tellers Committee shall proceed to the post office and collect the returned ballots. The Tellers Committee shall then count all valid ballots. The Tellers Committee shall have sole discretion in determining whether a return ballot is valid. Once the ballots have been counted and tallied, the Tellers Committee shall publish the results of the election of officers by either announcement, posting, or other suitable method.

SECTION 5. The candidates receiving the highest number of votes shall be declared elected. Terms of office shall be for a period of three years. In case of a tie vote for any position, the tie shall be broken by the flip of a coin.

SECTION 6. All newly elected Officers shall be installed in the order of business at the May membership meeting. All books, monies, records and other properties of the Union shall be turned over to the newly elected Officers when they take office.

SECTION 7. In the event the office of President is vacated, it shall be filled by election said election to be conducted within sixty (60) days after the office of President is vacated. However, no election to fill the office of President shall be held if the office of President is vacated within six (6) months prior to a regularly scheduled election of officers. There will be a notice of the intent to nominate for the office seven days prior to the nominations at a regular Membership Meeting. Only members in good standing shall be eligible to vote. (Reference Article V, Section 2).

SECTION 8. In the event that an office other than that of President is vacated, not filled at a regular election, or another position is created before the next scheduled election, the office may be filled by appointment of the Union Executive Board and approved by the membership at the next regular membership meeting.

SECTION 9. All challenges to election results for officers, delegates and representatives must be made in writing to the Secretary/Treasurer of the Local Union within fifteen (15) days from the date of the counting of the ballots. The challenger shall set forth in writing the exact nature and specifications of the challenge and how his claim has affected the outcome of the election.

SECTION 10. As soon as the Secretary/Treasurer receives a challenge to the election results, the Secretary shall notify the Executive Board of the Local Union which shall select an Investigative Committee in the same manner that the Tellers Committee is selected. No member of the Executive Board, the Tellers Committee, the member whose election has been challenged nor the member who challenged the outcome of the election shall serve on the Investigative Committee.

SECTION 11. Within seven (7) days after the challenge has been filed, a copy of the challenge to the election results shall be forwarded to the member being challenged, at the member's last known address, by certified mail together with a written notification of the time and place that the Investigative Committee will hold a hearing on the matter. A similar notice with a copy of the challenge shall be sent to the individual challenging the outcome of the election by certified mail. The hearing scheduled for the Investigative Committee shall take place not less than one week from the date of the mailing of the challenges to the member whose election was challenged.

SECTION 12. The Investigative Committee shall have the right to adopt the rules and procedures it shall use for the hearing. The individual challenging the outcome of the election and the member whose election has been challenged shall have the right to present evidence, oral and written, in support of their respective positions. The individual challenging the outcome of the election and the member whose election has been challenged shall have the right to be represented by only a member in good standing and shall have no right to be represented by any person other than a member in good standing during these proceedings. Upon completion of the hearing, the Investigative Committee shall submit its report to the next meeting of the Local Union Executive Board, listing each of the claimed violations of voting procedures and the Investigative Committee's findings regarding each claimed violation of the voting procedures. The Investigative Committee shall also ascertain whether or not the claimed violations would have affected the outcome of the election and set forth its reasoning for the conclusion reached.

SECTION 13. The Local Union Executive Board shall have the right to: (1) order a new election; (2) certify the election of all positions involved; (3) certify all positions not affected by the challenge; or (4) refer the matter to the next membership meeting for a decision; provided however, if the next membership meeting is scheduled to occur less than fourteen (14) days following the decision of the Local Union Executive Board as set forth herein, the matter shall be referred to the membership meeting immediately thereafter so that at least a period of fourteen (14) days occurs from the date the Executive Board refers the matter to the membership for a decision and the actual membership meeting is held. The purpose of this fourteen (14) day period is to allow proper notice to the membership that this matter will be scheduled for its consideration. A copy of the Local Union Executive Board's decision shall be forwarded immediately to the member whose election has been challenged and to the challenger, with a copy to the National Union.

SECTION 14. If the Local Union Executive Board does not refer the matter to the membership for a decision and if either the challenged or the challenger is not satisfied with the decision of the Local Union Executive Board, either or both may request in writing the challenge be submitted to the membership for a decision.

SECTION 15. If the matter is referred to the membership for a decision by the Local Union Executive Board, or at the request of either or both the challenger and the challenged, the membership may, after receiving the report of the investigative committee: (1) order a new election; (2) certify the results of the election; or (3) certify the election of all positions not challenged or those for which the outcome would not have been affected by the challenge. A copy of the membership's decision shall be forwarded immediately to the challenged, the challenger and the National Office.

SECTION 16. An appeal from the decision of the membership, or from the Local Union Executive Board if not referred to the membership, may be filed with the National Union Executive Committee by either the challenger or challenged within thirty (30) days of the mailing of the Local Union Executive Board's decision or membership's decision, as the case may be. Any such appeal shall be processed in accordance with the National Constitution.

SECTION 17. Elections challenged by a member will be presumed valid pending a final decision on the claimed violations and their effect, if any, on the outcome of the elections.

**ARTICLE IX**  
DUES

SECTION 1. The payment of dues to the Union shall be through payroll deductions or as specified by the Local Union Executive Board.

SECTION 2. Payment of dues by other than payroll deduction shall be as follows: certified check, money order, or in person at the Union Office during the regular office hours, on or before the third Friday of each month.

SECTION 3. Any member whose dues have not been paid for the preceding month shall be declared delinquent unless such failure was caused by illness, leave of absence, or any other condition beyond the control of said member.

SECTION 4. Membership dues may be changed only by a majority of a secret ballot vote at meetings to be held as follows: Two meetings shall be held; one in the morning and one in the evening of the same day. The question must be advertised on bulletin boards at least seven days in advance of the meetings, or notice mailed postage prepaid to each member at least seven days in the advance of the meetings.

SECTION 5. The Union dues shall be adjusted annually in compliance with, but shall not exceed the amount of dues as set in the National U.W.U.A. Constitution.

SECTION 6. The membership of this Union may levy a special assessment only in the same manner as provided for changing Union dues. However, any special assessment shall be in compliance with the National U.W.U.A. Constitution.

SECTION 7. Discharge for non-payment of dues shall bar a member from office and from exercising rights and privileges of membership until he or she reestablishes good standing status for a period of one year.

**ARTICLE X**  
MEETINGS

SECTION 1. There shall be a regular scheduled membership meeting on the second Thursday of the each month of the calendar year with each meeting beginning at 7:00 p.m., unless conditions necessitate otherwise. For the months of February, June and October the meetings shall be held in the general vicinity of Killen Station and Stuart Station. For the months of January, March, April, May, July, August, September, November and December the meetings shall be held at the offices of Local 175, or such other place as designated by the Union Executive Board.

SECTION 2. Special meetings may be called by the President, the Union Executive Board, or by the majority vote of the membership present at any meeting. The Union Executive Board shall be required to call a special meeting upon request, signed by 15 or more members in good standing in the Union. Such written requests shall state the purpose for which the meeting is to be called, and shall be sent by certified mail to the Secretary/Treasurer of the Union. All members must be notified by the Secretary/Treasurer at least 48 hours prior to the special called meeting. Posting of such notices upon bulletin boards will be deemed proper notification.

SECTION 3. No meeting of the Union may be considered convened unless a quorum of 15 members in good standing are present, and no business may be transacted without a quorum.

SECTION 4. When the President and the Vice President are absent, the meeting shall be called to order by the Secretary and a chairman pro-tem elected.

## **ARTICLE XI**

### **FINANCES**

SECTION 1. All funds must be deposited in the bank as stated in Article V, Section 4 of these By-Laws. All bills other than petty cash will be paid by check, to be signed by two of the following three individuals - President, Vice President and/or Secretary/Treasurer. All disbursements must be authorized by the President, Vice President and/or the Secretary/Treasurer.

SECTION 2. The President and/or Secretary/Treasurer shall act as purchasing agent for the Union for office supplies or other purchases not to exceed \$800.00 per purchase. No other officer or member of this Union shall incur any debt in the name of the Union without the authority of either the Union Executive Board or the Union membership.

SECTION 3. The President, Vice President and Secretary/Treasurer, for the faithful performance of their duties, shall give bond. The amount of the bond shall be fixed at the beginning of each fiscal year and shall be in an amount not less than 10% of the funds handled by them, or their predecessors, if any, during the preceding fiscal year, but in no case more than \$500,000. The premium of the bond shall become an obligation of the Union.

SECTION 4. The accounts of the Union shall be audited by an outside independent certified public account at the close of each fiscal year. The results shall be submitted to the Secretary/Treasurer.

SECTION 5. Any officer, officers, member or members who are either necessarily absent from their work on Union business, or incur time other than lost time on Union business, with the approval of the Union Executive Board, shall receive compensation for the amount of time involved.

## **ARTICLE XII** DELEGATES

SECTION 1. The President and Vice President shall be automatic delegates to the U.W.U.A., AFL-CIO Conventions, Regional Conferences, and all other conferences and conventions. The Executive Board shall determine how many other delegates will be sent to each convention or conference from among the remaining members of the Executive Board, based on the number of credentialed delegates allowed if applicable, the nature of the event and the union's financial circumstances at the time. The individual Executive Board members to serve as delegates or otherwise attend a convention or conference other than the specified officers will be selected by a method to be determined by the Executive Board from those members who wish to attend. Any other delegates shall be approved by the membership. The notice of the forthcoming election of officers to be mailed to each member's last known address as set forth in Article VIII, Section 1 shall include a statement that the President and members of the Union Executive Board shall be automatic delegates to the U.W.U.A., AFL-CIO conventions, Regional Conferences, and all other selected delegations. A similar notice shall be placed on the ballot sent to each eligible voter pursuant to Article VIII, Section 4.

SECTION 2. Any member of the Union who holds office in another AFL-CIO organization shall be an automatic delegate to such organization for the term of the office held.

## **ARTICLE XIII** PROCEDURE

SECTION 1. Roberts Rules of Order shall govern all parliamentary procedures of the Union and committees thereof.

SECTION 2. A majority affirmative vote of all members present shall be required for adoption of any proposal, except in cases otherwise provided for in these By-Laws.

SECTION 3. Each member shall be allowed to debate on any question for no more than five minutes at a time. No member shall speak twice on any question while any other member wishes to speak, and not more than twice without permission of the President as provided by Roberts Rules of Order.

SECTION 4. Any member, while in a Union meeting, declared out of order because of drunkenness, using obscene language, extensive offense to another member or otherwise uses destructive methods towards the order of the meeting shall be warned for the first offense and expelled from the hall for the second offense, if occurring within the same meeting.

SECTION 5. The following order of business shall be observed:

1. Pledge of Allegiance to the Flag, or Prayer.
2. Roll Call of Officers.
3. Approval of Minutes.
4. Secretary/Treasurer's Report.
5. Committee Reports.
6. Reports of Officers.
7. Unfinished Business.
8. New Business.
9. Good and Welfare of the Union.
10. Adjournment.

SECTION 6. Special order of business may be voted by a two-thirds of those members present.

SECTION 7. The President shall have the sole authority to appoint member(s) to serve in the capacity of sergeant-at-arms as the President deems appropriate at any union function.

#### **ARTICLE XIV**

##### **COMMITTEES AND DUTIES**

SECTION 1. The standing committees that may be utilized consist of Pension, Grievance, Communications, Central Safety, Activities, Finance, By-Laws, Trial, Workers' Compensation, and others that may be deemed necessary from time to time for the advancement of the Union.

SECTION 2. The members of the standing committees shall be appointed and may be removed by the President, subject to the approval of the membership.

SECTION 3. A majority of each committee shall constitute a quorum for the transaction of its business and all decisions of committees shall be by majority vote of those present. The first person named to a committee shall be its Chairperson, unless another person is chosen by the committee.

SECTION 4. The Chairperson of a committee shall notify committee members of the time and place of the committee meetings. If any member appointed to a committee fails to attend three consecutive meetings of the committee, the Chair shall report the absences to the President of the Union. The President may declare the place vacant and appoint another member to fill the vacancy, unless the committee member shows sufficient reasons to justify the non-attendance.

SECTION 5. The standing committees shall consist of:

Pension and Insurance Committee--Three members to be appointed. The President of the Union will be a member of this Committee.

Grievance Committee--This Committee will consist of all Union Executive Board members and will investigate and authorize any grievances/issues to be taken to arbitration.

Central Safety Committee--Three members will be appointed. The Union President will be an automatic member.

Activities Committee--Five to be appointed. This Committee will study and make recommendations concerning activities that will increase the value of the Union to its members, and serve to make Union membership more attractive. Such activities may include entertainment, athletics, and social activities.

Finance Committee--The Secretary/Treasurer shall be an automatic member and Chairperson of this Committee. Four other members will be appointed including at least one Trustee. This committee will be responsible for making recommendations concerning the financial status of the Union.

By-Laws Committee--Five members to be appointed by the President and approved by the membership. The President will be an automatic member. This Committee will accept and make recommendations on proposed amendments to the Union Executive Board.

Communications Committee--The Chairperson shall be appointed by the President. Additional members will be selected by the Chairperson and approved by the membership.

Trial Committee--Members of the Union Executive Board are automatic members of the Trial Committee, except that neither the person filing the charges nor the person accused may be a member. The Committee shall hear charges of a member and/or members against another member and/or members. The Committee shall cause all charges to be investigated and report their findings of the hearing and investigation to the membership as soon as possible thereafter.

Mutual Aid Committee--This committee will receive and review all requests for financial assistance from members in good standing. A recommendation will be made to the Union Executive Board and the Union membership for approval of all assistance this committee deems appropriate. The maximum assistance shall not exceed \$500.00. Further, upon recommendation of the Mutual Aid Committee, the President shall have the authority, in case of an emergency or extreme hardship, to authorize assistance for members in good standing, not to exceed \$200.00. This committee will consist of four members, plus the Secretary/Treasurer, to be appointed by the President, with membership approval.

SECTION 6. The Standing Committees shall perform such other duties as the Union Executive Board or the President may direct in accordance with the functions of the Committee and shall be required to report at each regular membership meeting.

#### SECTION 7. Tellers Committee

a. There shall be a selected Tellers Committee for the purpose of conducting the Officers election. They will be dismissed of their duties and responsibilities after the results of the election have become official.

b. The names of the members present at the meeting one month preceding the election shall be placed in a container from which a member of the Union, who is not a candidate for office, shall draw up to eight names to constitute the Tellers Committee. In no event shall there be more than one member from any one department or area number. The Committee shall be approved by the Union membership.

c. The Committee members shall elect their Chairperson and Co-Chairperson. The Chairperson will be in charge of the Committee and the Co-Chairperson is responsible in the Chairperson's absence. The Chairperson will report to the Union membership by bulletin board the names of candidates for office. Within 10 days following the nominations, or as soon as possible thereafter, a meeting of the Tellers Committee will be called.

d. The Committee shall be responsible for the counting of all ballots, such counting to be conducted at the Union office. The Chairperson of the Committee shall report the total votes cast, total votes cast for each candidate and the total votes invalidated, to the Secretary/Treasurer at the completion of the count. The Committee shall not partake of any intoxicating beverages during the hours they are on duty. The employer of the members of the Tellers Committee will be informed of the members' absence from work and the Union will compensate them for their lost time and expenses.

#### SECTION 8. Negotiating Committee

A Negotiating Committee shall represent the Union in all collective bargaining negotiations. A Negotiating Committee shall consist of the President and Vice President and three other persons employed by the entity involved in the negotiations. If the number of Executive Board members from the entity involved in the negotiations is equal to or greater than three (3), then the three (3) additional members of the negotiating committee (other than the President and Vice President) shall be members of the Executive Board. If the number of Executive Board members from the entity involved in negotiations is less than three (3), the remaining member(s) of the Negotiating Committee shall be elected by the members employed by the entity involved in the negotiations. If the number of Executive Board members employed by the entity involved in negotiations is greater than three (3), then the three (3) additional members of the Negotiating Committee shall be elected by secret ballot by the other Executive Board members with the election of at least one (1) representative from each of the areas represented on the Executive Board that is employed by the entity involved in the negotiations. The President and Vice President shall be responsible for counting the ballots and announcing the results of the secret ballot election. If an election by the membership of one or more members of the Negotiating Committee is necessary, said election shall take place not less than six (6) months prior to the expiration of the collective bargaining agreement involved in the negotiations. This election shall be conducted by secret ballot among the employees employed by the entity involved in the negotiations at a special meeting called by the President.

**ARTICLE XV**  
**AMENDMENTS**

SECTION 1. A member in good standing of the Union may submit an amendment to these By-Laws. Said amendment must be submitted in writing to the Union Executive Board.

SECTION 2. The member or members submitting the amendment must state the Article and Section of these By-Laws that they wish to be amended. Such amendment must have the signed endorsement of at least 15 members in good standing.

SECTION 3. A duly appointed By-Law Committee may submit proposed amendments directly to the Union Executive Board.

SECTION 4. The Union Executive Board shall report the amendment to the regular Union meeting within 30 days after it is received together with its recommendations.

SECTION 5. The membership shall be notified of the intention of amendment by bulletin boards at least seven days prior to the meeting in which the amendment is to be voted upon. Such amendment must be approved by a majority of the members present at this meeting.

**ARTICLE XVI**  
**CHARGES AND TRIALS**

SECTION 1. Each member of the Union shall have the right to file charges against any other member or officer of the Union pursuant to the procedures set forth herein. Each member of the Union shall have the right to fair treatment in the application of the procedure set forth below. In applying these procedures, the essential requirements of due process of law (notice, hearing and decision based on the evidence) shall be observed without requiring the technical formality followed in courts of law.

SECTION 2. All charges against a member of the Union must be made in writing, signed by the member or members making the charges, and must be presented to the Union Executive Board by certified mail. Charges must be submitted within 60 days of the time the complainant becomes aware of the alleged offense.

SECTION 3. The Union Executive Board shall be designated as the Trial Committee. No member of the Union Executive Board having a personal interest in the subject matter of the charge, which personal interest is adverse to that of the charging party or the accused, shall sit on the Trial Committee. The decision on disqualification under this provision, if raised by an interested party, shall be made in the first instance by majority vote of the Union Executive Board, whose decision shall be appealable as part of the case, in accordance with the appeal procedure of these By-Laws. The officer alleged to be disqualified shall not vote on whether he is qualified to remain on the Trial Committee. If the member charged or preferring the charges is a member of the Union Executive Board, or if a member of the Union Executive Board is unable to attend the hearing for any reason, the President of the Union shall appoint an uninvolved member as a substitute. Charges by, against or involving a majority of the members of the Union Executive Board shall be referred to the National Union.

SECTION 4. Within seven days after charges have been filed, the Union shall forward a copy of the charges to the charged party's last known address by certified mail together with a written notice of the time and location when the hearing will take place before the Trial Committee. A similar notice with a copy of the charges shall be sent to the charging party by certified mail. The hearing shall take place not less than one week from the date of the mailing of the charges to the charged party. The charged party shall be accorded full opportunity to present his/her position on all matters bearing upon the trial and the report of the Trial Committee.

SECTION 5. The Trial Committee shall have the right to adopt rules and procedures it shall use for the hearing. The charging party and the member being charged shall have the right to present evidence, oral and written, in support of their respective positions. Upon completion of the hearing, the Trial Committee shall prepare a written report to be presented to the next membership meeting for a consideration; provided however, that if the next membership meeting is scheduled to occur less than 14 days following the completion of the report of the Trial Committee, the report shall be referred to the membership meeting immediately thereafter so that at least a period of 14 days occurs from the date of the completion of the report from the Trial Committee to the submission of the report to the membership. The purpose of this 14 day period is to allow proper notice to the membership that a report will be presented to the membership for consideration. A copy of the Trial Committee's report shall be forwarded immediately to the charged party and to the charging party by certified mail, return receipt requested.

SECTION 6. The report to the Trial Committee shall become effective only upon the approval of a majority vote of the membership present at the Union meeting. A report of the decision of the Union membership shall be forwarded immediately by certified mail to the charged party, the National Office and the charging party. When a member or an officer is accused of committing an offense prejudicial to the Union and is found guilty by secret vote of the majority of all Union members present, at the membership meeting as set forth above, he or she may be temporarily or permanently suspended from office, membership and/or fined.

SECTION 7. The charged party or the charging party may appeal the decision of the Union membership within 30 days of the mailing of the decision of the Union membership to the parties by presenting the appeal in writing to the National Union Executive Board.

SECTION 8. An appeal from the decision of the National Union Executive Board may be made to the National Convention by giving notice to the National Secretary-Treasurer 30 days prior to the convening of the Convention.

## **ARTICLE XVII**

### **STRIKES**

SECTION 1. The calling, conducting, and termination of strikes shall be carried out in accordance with the National U.W.U.A., AFL-CIO Constitution. However, a strike called by and affecting this Union may be terminated by the approval of a majority vote of the members present at a regular or special membership meeting.

SECTION 2. All strike votes shall be taken by secret ballot. It shall require a majority of the votes cast by the membership present at either a regular or special meeting. Notice of such meeting must be posted or mailed not less than 24 hours prior to the meeting.

**ARTICLE XVIII**  
**NEGOTIATIONS AND AGREEMENTS**

SECTION 1. Prior to the beginning of any negotiations for a new collective bargaining agreement or compact, Union members employed by the entity involved in negotiations shall have the right to submit, in writing, proposals for changes in the collective bargaining agreement or compact said member wishes to propose. The Negotiating Committee shall incorporate in its bargaining demands all of those proposals it deems appropriate for consideration as well as any other proposals developed by the Negotiating Committee either prior to or during the negotiations.

SECTION 2. At least thirty (30) days prior to the expiration of the current collective bargaining agreement or compact, a special Tellers Committee, composed of up to ten (10) members employed by the entity involved in negotiations, shall be appointed by the President with the approval of the membership at a regular or special membership meeting. No member of the Negotiating Committee shall be a member of this Tellers Committee. The Tellers Committee shall compile a voters eligibility list including each eligible voter's full name and last known post office address immediately prior to any ratification vote that may be held.

SECTION 3. Once the Negotiating Committee has reached a tentative agreement on a new collective bargaining agreement or compact it shall notify the Tellers Committee which shall send to each eligible voter a copy of the tentative agreement to be submitted to the membership employed by the entity involved in negotiations for ratification. The President shall set the date for the ratification vote and post a notice informing the affected members of the ratification date. A ratification vote involving members employed in the electric generation and service operations shall be held in two locations, one location being in the Killen Station and Stuart Station vicinity and one being at the Local 175 Union Hall. Prior to the ratification vote for members employed in the electric generation and service operations, there shall be two informational meetings held in Dayton and two informational meetings held in the vicinity of Killen Station and Stuart Station. A ratification vote for members employed in gas operations shall be held at the Local 175 Union Hall. Prior to the ratification vote for members employed in gas operations there shall be two informational meetings held in Dayton. The tentative agreement or a summary will be made available to the membership prior to, or at the informational meetings.

SECTION 4. Ratification or renewal of a new collective bargaining agreement or new compact shall be by secret ballot, either in person at the voting locations designated above or by absentee voting by mail by members who are ill or absent from the city or town where they are normally employed at the time of voting because of vacation or an employment tour of duty. The Union Executive Board may permit additional reasons for absentee voting if it so desires. A written application for absentee ballots shall be made to the Secretary/Treasurer not less than five (5) days prior to the date set for the voting and shall contain the grounds therefore. Absentee ballots shall be valid only if they are received on or before the day on which the voting occurs. For a ratification vote involving members employed in the electric generation and service operations, once the voting period in the vicinity of Killen Station and Stuart Station is completed, the members of the Tellers Committee at that location shall seal the ballot box and transfer it to the Local 175 Union Hall. When the voting period at the Local 175 Union Hall is completed, all ballots, including the absentee ballots, shall counted by the Tellers Committee. For ratification votes involving the gas operation employees, when the voting period at the Local 175 Union Hall is completed, all ballots, including the absentee ballots, shall be counted by the Tellers Committee. The Tellers Committee shall have sole discretion in determining whether a ballot is valid. Once the ballots have been counted and tallied, the Tellers Committee shall publish the results of the ratification vote by either announcement, posting or other suitable method. Any tentative agreement ratified by the membership must be approved by the National Union prior to becoming effective.

SECTION 5. Any and all issues or agreements outlined in this Article, shall be conducted in accordance with Article VII of the U.W.U.A., AFL-CIO National Constitution.

## **ARTICLE XIX**

### **CONFLICT WITH NATIONAL UNION AND/OR GOVERNMENTAL AUTHORITY**

SECTION 1. Should any part of these By-Laws now or hereafter, be inconsistent with, conflict with, or violate any laws, orders, rules, regulations, directives or effective pronouncements of any duly constituted governmental authority and/or Constitution and By Laws of the National U.W.U.A. (as adopted in the Convention April 6, 1946, and as amended by succeeding Conventions), it shall not be effective so long as such inconsistency, conflict or violation exists. However, all remaining provisions of the Constitution shall prevail.

As amended with membership approval on this (to be determined).