

**OFFICE AND PROFESSIONAL EMPLOYEES
INTERNATIONAL UNION, LOCAL 42, AFL-CIO**

CONSTITUTION AND BY-LAWS

ARTICLE 1 - PREAMBLE

This Local Union declares for its objectives and aspirations the following: To organize all unorganized professional, technical, office and clerical employees; to secure terms and conditions of employment for its members consonant with American ideals of fair wages; to promote and encourage harmonious relations between ourselves and our Employers; to render all possible assistance to our brothers and sisters in the AFL-CIO; and to have, in general, the same aims and purposes of the International Union provided for in its Constitution in the interests of all professional, technical, office and clerical workers.

ARTICLE 2 - NAME

This organization located in Detroit, Michigan shall be known as the OFFICE AND PROFESSIONAL EMPLOYEES INTERNATIONAL UNION, LOCAL NO. 42, AFL-CIO. This Local Union shall be and remain a chartered Local Union of the Office and Professional Employees International Union of the AFL-CIO.

ARTICLE 3 - EXISTENCE

This Local Union cannot be dissolved while there are seven (7) dues paying members therein who desire to continue its existence. When any Local Union ceases to represent employees of any Employer, the International Union Executive Board may suspend the charter of such Local Union and order it dissolved. Upon the dissolution of this Union, all its properties and assets, including its funds, books and records, shall become the property of the International Union, to be held by the International Union in trust for a period of one (1) year, during which time such property shall be returned to this Union if it is reconstituted. After such one (1) year period such properties and assets shall become the property of the International Union, and the funds will be placed in the International Union treasury to be used by the International Union for its general purposes.

ARTICLE 4 - JURISDICTION

Section 1. This Local Union shall embrace within its membership employees employed in any phase of professional, technical, office and clerical and white-collar in the commonly accepted sense of that term coming within its jurisdiction as established under the Constitution of the Office and Professional Employees International Union, AFL-CIO.

Section 2. This Local Union recognizes the right of the Executive Board of the International Union to determine jurisdiction between Local Unions and settle all controversies respecting jurisdictions between Local Unions. In jurisdictional questions involving Local 42 advice and/or consent, Local 42 shall not request, advise or agree to the transfer of any bargaining unit out of Local 42 without the consent of both the membership of Local 42 and the membership of the bargaining unit concerned.

ARTICLE 5 - MEMBERSHIP

Section 1. No person shall be admitted to membership who is not employed in the trade at an occupation under the jurisdiction of this Union, or who advocates principles or lends support to organizations or movements whose purpose and objectives are contrary to the fundamental principles of the established Governments of the United States and Canada, or are in conflict with the policies of the International Union. Persons holding administrative or staff positions with the power to hire or discharge will not be eligible for membership in the Union.

Section 2. No person holding membership in another Local Union of the International Union shall be admitted to or permitted to retain membership in this Local Union.

Section 3. All officers and full-time organizers of the International Union shall be ex-officio members of this Local Union with the privileges of participating in this Local Union's meetings but not voting, provided, however, such officers and organizers shall retain and may exercise full rights of participation in this Local Union if they hold membership in this Local Union.

Section 4. Any member of this Local Union who secures employment under the jurisdiction of any other Union affiliated with the AFL-CIO not under the jurisdiction of this International Union, who is thereby required to become a member of such other Union, may retain her/his membership in this Local Union.

Section 5. All members and retired members paying dues shall be good-standing members and entitled to participate fully as members in the affairs of this Local Union until expelled, or suspended and not reinstated, or until such members have been issued Withdrawal Cards in accordance with the Constitution and By-Laws of this Union.

Section 6. Any member who retires under total and permanent disability or who reaches retirement age and ceases active employment may apply to the Local Union to be placed on retirement member status. Members who elect to be placed on such retirement status shall be required to pay dues of \$1.00 per month and shall have the right to attend meetings and participate in deliberations, vote in all general elections but shall not be entitled to vote on matters involving strike and contracts with Employers and shall not be eligible to hold elective office.

Section 7. The Membership is the highest authority of this Local.

ARTICLE 6 - MEETINGS

Section 1. Regular meetings of the Membership of this Union shall be held on the 2nd Wednesday, of every month at 6:00 p.m., at a place designated by the Executive Board.

Section 2. No action of the membership shall be deemed valid or binding unless such action is taken by the membership at a regular or special meeting held pursuant to the provisions of this Constitution and By-Laws.

Section 3. A special meeting of the Local Union may be called by the Executive Board if it deems such action necessary, or a special meeting of the Local Union may be called upon a request submitted to the President and/or Executive Board by not less than thirty (30) members in good-standing, but said meeting shall not take place on the day of adjournment of the regular meeting. The request must be the original petition in writing and shall state clearly the purpose for which the meeting is requested, and no other business shall be transacted at such special meeting.

Section 4. The Recording Secretary shall send out notices of any special meeting, stating the purpose for such meeting, to all members at least seventy-two (72) hours before it convenes. No other business shall be transacted at such special meeting.

Section 5. One percent (1%) of the members in good-standing shall constitute a quorum for any regular or special meeting. No meetings shall be called to order unless such quorum is present. There will be a fifteen (15) minute grace period to determine if a quorum is present.

Section 6. Only members fulfilling the requirements of Article 5 and 20 of this Constitution and By-Laws shall be eligible to attend meetings of this Union and to participate to the extent set forth in those articles, except that invited guests of the Executive Board or of this Union may attend and participate to the extent of the purpose for which they are invited, but shall not vote.

ARTICLE 7 - OFFICERS AND DUTIES

Section 1.(a) This Local Union shall have the following officers: President, Vice-President, Recording Secretary, Secretary-Treasurer, three (3) Trustees, eight (8) Executive Board Members.

(b) All officers, stewards and employees of this Local Union shall be bonded in accordance with the requirements of the Labor-Management Reporting and Disclosure Act of 1959, where necessary, under a bond approved by the Secretary-Treasurer of the International Union.

(c) Every officer and employee of this organization, other than an employee performing exclusively clerical or custodial service, shall file with the Secretary of Labor a signed report listing and describing for the preceding fiscal year;

- (1) Any stock, bond, security, or other interest, legal or equitable which she/he or her/his spouse or minor child directly or indirectly held in, and any income or any other benefit with monetary value (including reimbursed expenses) which she/he or her/his spouse or minor child derived directly or indirectly from, an Employer whose employees this Local Union represents or is actively seeking to represent, except payments

and other benefits received as a bona-fide employee of such Employer;

- (2) Any transaction in which she/he or her/his spouse or minor child engaged directly or indirectly involving any stock, bond, security, or loan, to or from, or other legal or equitable interest in the business of an Employer whose employees of this Local Union represents or is actively seeking to represent;
- (3) Any stock, bond security, or other interest, legal or equitable, which she/he or her/his spouse or minor child directly or indirectly held in, and any income or any other benefit with monetary value (including reimbursed expenses) which she/he or her/his spouse or minor child directly or indirectly derived from, any business a substantial part of which consists of buying from, selling or leasing to, or otherwise dealing with, the business of an Employer whose employees this labor organization represents or is actively seeking to represent;
- (4) Any stock, bond security, or other interest, legal or equitable, which she/he or her/his spouse or minor child directly or indirectly held in, and any income or any other benefit with monetary value (including reimbursed expenses) which she/he or her/his spouse or minor child directly or indirectly derived from a business any part of which consists of buying from, or selling, or leasing, directly or indirectly to, or otherwise dealing with the Local Union;
- (5) Any direct or indirect business transaction or arrangement between her/his or her/his spouse or minor child and any Employer whose employees in his organization represents, or is actively seeking to represent, except work performed and payments and benefits received as a bona-fide employee of such Employer and except purchases and sales of goods or services in the regular course of business at prices generally available to any employee of such Employer and;
- (6) Any payment of money or other thing of value (including reimbursed expenses) which she/he or her/his spouse or minor child received directly or indirectly from any Employer or any

person who acts as a labor relations consultant to an Employer, except payments of the kinds referred to in Section 302(c) of the Labor Management Relations Act, 1947, as amended.

(d) Nothing in this Article shall be construed to require any such officer or employee to report her/his bona-fide investments in securities traded on a securities exchange registered as a national securities exchange under the Securities Exchange Act of 1934, in shares in an investment company registered under the Investment Company Act of 1940, or in securities of a public utility holding company registered under the Public Utility Holding Company Act of 1935, or to report any income derived there from.

(e) Nothing contained in this Article shall be construed to require any officer or employee of this Local Union to file a report under Sub-Section (c) unless she/he or her/his spouse or minor child holds or has held an interest, has received income or any other benefit with monetary value or a loan, or has engaged in a transaction described therein.

(f) Every person required to file any report under this Article shall maintain records on the matters required to be reported which will provide in sufficient detail the necessary basic information and date from which the documents filed with the Secretary of Labor may be verified, explained or clarified, and checked for accuracy and completeness, and shall include vouchers, work sheets, receipts, and applicable resolutions, and shall keep such records available for examinations for a period of not less than five (5) years after the filing of the documents based on the information which they contain.

Section 2. PRESIDENT - The President shall preside at all general membership meetings and Executive Board meetings; shall preserve order during its deliberations, sign all checks drawn on the treasury; appoint all committees not otherwise ordered, transact such other business as may of right pertain to this office and which may be necessary to the proper functioning of this Union including automatically being first delegate to any function such as but not limited to conventions, conferences, requiring an official delegate(s); and shall have such other powers and duties as are provided for in this Constitution and By-Laws. The President shall appoint a Sergeant-at-Arms whose duties shall be to assist the President in maintaining order. The Sergeant-at-Arms shall examine all persons entering the meeting hall to ascertain that such person who attends is a bona-fide member of the Union.

Section 3. VICE-PRESIDENT - The Vice-President shall perform the duties of the President in the absence of that officer, and, in case of resignation or death of the President, shall perform the duties of the President until the next General Election as provided for in this Constitution and By-Laws. She/he shall also preside when called upon by the President and at times when the President may be temporarily unable to discharge her/his duties. The Vice-President shall also be Chairman ex-officio of all standing committees with the exception of the Election Committee and shall have such other powers and duties as are provided for in this Union's Constitution and By-Laws.

She/he shall act as Chairman of the Trustees and is required to call quarterly meetings of the Trustees. She/he shall have the right to require the presence of all necessary officers at such meetings including the Secretary-Treasurer.

The Vice-President shall be an automatic delegate to any function such as, but not limited to, conventions and conferences requiring an official delegate(s).

Section 4. (a) RECORDING SECRETARY - The Recording Secretary shall keep the minutes of all meetings and proceedings of the Union and the Executive Board and shall send out all meetings notices.

(b) The Recording Secretary shall forward to every member who requests it a copy of each collective bargaining agreement made by this Local Union which directly affects such member's rights as an employee.

(c) The Recording Secretary shall keep copies of all agreements at the Union office (if one exists) so that they will be available for inspection by any member of employees whose rights are directly affected.

(d) The Recording Secretary shall file a copy of all collective bargaining agreements entered into by this Union with the office of the President of the International Union.

(e) The Recording Secretary shall be an automatic delegate to any function such as, but not limited to, conventions and conferences requiring an official delegate(s).

Section 5. SECRETARY-TREASURER - The Secretary-Treasurer shall perform the following duties:

(a) She/he shall keep all financial accounts of this Union and shall maintain correct and proper accounts of all its members. She/he shall collect all initiation and reinstatement fees, dues, assessments and fines from members of this Union. She/he shall make all disbursements for this Union as provided for in Article XIII of this Constitution and By-Laws. She/he shall keep a correct record of all monies received and expended and prepare financial statements by calendar months to be submitted to the Secretary-Treasurer of the International Union monthly, and to the next regular membership meeting of the Local Union.

(b) She/he shall deposit all funds of this Union in banks and institutions, whose funds are protected by the insurance issued by the Federal Deposit Insurance Corporation (FDIC) of the Federal Savings and Loan Insurance Corporation, recommended by the Executive Board and approved by the Trustees. She/he shall submit all her/his books and records to the Trustees for audit and approval whenever called upon to do so, and, upon the expiration of her/his term, turn over to her/his successor all properties and assets, including funds, books, and records of this Union. Before turning over such properties and assets to her/his successor, she/he must see to it that such successor is properly bonded. She/he shall turn over all properties and assets, including funds, books and records, to the Secretary-Treasurer of the International Union or her/his duly authorized representative when properly called upon to do so.

(c) She/he shall transmit monthly to the Secretary-Treasurer of the International Union all financial obligations owing to the International Union not later than the fifteenth (15th) day of the following month. She/he shall follow such accounting and reporting procedures as shall be formulated by the Secretary-Treasurer of the International Union. She/he shall be required to make monthly reports to the Secretary-Treasurer of the International Union of all dues paying members on forms prescribed by the Secretary-Treasurer of the International Union.

(d) She/he shall be required to include in each monthly report the Social Security number, name and address of all newly initiated, transferred, re-activated and inactive members who have withdrawn, died, or have been suspended, including members automatically suspended after three (3) months delinquency in dues, or expelled, and the names of all persons to which working permits were issued during the month.

(e) The Secretary-Treasurer shall, during her/his term in office, check the requirements of Section 201(a) of the Labor-Management Reporting and Disclosures Act of 1959 to ascertain whether any changes have occurred which will cause the information required to be filed to be reported to the Secretary of Labor at the time of filing financial reports as required in subsection (g) and as required by Section 201(b) of the Labor-Management Reporting and Disclosures Act of 1959.

(f) She/he shall file annually with the Secretary of Labor a financial report containing the following information in such detail as may be necessary accurately to disclose its financial conditions and operations for its preceding fiscal year;

- (1) Assets and liabilities at the beginning and end of the fiscal year;
- (2) Receipts of any kind and the sources thereof;
- (3) Salary, allowances, and other direct or indirect disbursements (including reimbursed expenses) to each officer and also to each employee, who, during such fiscal year, received more than \$10,000.00 in the aggregate from this Local Union;
- (4) Direct and indirect loans made to any officer, employee or member, which aggregated more than \$250.00 during the fiscal year, together with a statement of the purpose, security, if any, and arrangements for repayments;
- (5) Direct and indirect loans to any business enterprises, together with a statement of the purpose, security, if any, and arrangements for repayment; and
- (6) Other disbursements made by it including the purposes thereof; all in such categories as the Secretary of Labor may prescribe.

(g) She/he shall make available the information contained in the above-mentioned reports to all of the Local Union's members.

(h) A petty cash fund not to exceed \$25.00 shall be maintained by the Secretary-Treasurer to pay immediate necessary petty cash demands upon this Local Union. Replenishment of this fund shall be by check, the amount being the total of paid out vouchers for prior disbursements.

(i) The Secretary-Treasurer shall preserve all records in accordance with the provisions of Section 206 of the Labor-Management Reporting and Disclosures Act of 1959 which have been turned over to her/him until these records are actually five (5) years old. She/he shall turn over to her/his successor all such records to be kept until they are five (5) years old.

(j) The Secretary-Treasurer shall be an automatic delegate to any function such as, but not limited to, conventions and conferences requiring an official delegate(s).

Section 6. TRUSTEES - The Trustees will approve or disapprove each check issued by the Union. Reasons for failure to approve will be submitted to the Executive Board by the Chairman of the Trustees. The Executive Board will then make a determination. All decisions of the Trustees and the Executive Board are subject to the approval of the Local Membership. The Trustees shall periodically, at least quarterly and at the end of each fiscal year, make an audit of all books to the Union and to the Secretary-Treasurer of the International Union. They shall meet quarterly with the Vice-President of the Union, who will act as a Chairman of the meeting. They shall also have such powers and duties as provided for in this Constitution and By-Laws.

The Trustee who received the highest vote in the most recent election shall act as Chairman of the Trustees. The Chairman of the Trustees shall be an automatic delegate to any function such as, but not limited to, conventions and conferences requiring an official delegate(s).

ARTICLE 8 - EXECUTIVE BOARD

Section 1. The Executive Board shall consist of the President, Vice-President, Recording Secretary, Secretary-Treasurer, three (3) Trustees, and eight (8) Executive Board Members to be elected by a plurality of the voting membership.

The eight (8) members of the Executive Board shall be elected for terms of three (3) years at the General Election. Five (5) of the members thusly elected shall represent respectively, one of the following sectors of the membership of the

Union:

CREDIT UNIONS.....	1 MEMBER
METROPOLITAN HOSPITAL & HEALTH CENTERS.....	2 MEMBERS
MULTIPLE EMPLOYER GROUP (M.E.G.).....	1 MEMBER
MISCELLANEOUS UNITS.....	1 MEMBER

Section 2. Each member of the Executive Board shall have one (1) vote with the exception of the President of the Union. The President shall act as a Chairman and shall have voice but no vote, save in the event of a tie vote by the Executive Board, in which event she/he shall have a vote.

Section 3. Half the Executive Board members, plus one, shall constitute a quorum and such quorum shall have the power to transact all business of the Executive Board. Regular meetings of the Executive Board shall be held on the 2nd Wednesday of every month immediately following the regular Membership Meetings. Special Meetings of the Executive Board may be called by the President, and must be called by him/her upon request of the majority of the members of the Board. All members of the Board shall be given reasonable notification by the Recording Secretary of any special meeting of the Board.

Section 4. (a) The Executive Board shall conduct the affairs of the Union in the intervals between general membership meetings. It is empowered to authorize and perform all acts necessary for the conduct decisions and/or actions of the Executive Board (with the exception of those listed in Section 4(b) are subject to membership approval by a majority vote at a regular membership meeting.

(b) Expenditures approved and disbursed by the Executive Board between membership meetings for the purpose of carrying out the Local's primary functions, that of service, will not be subject to reversal by the membership at a later time.

Section 5. The Executive Board may engage legal counsel and determine the compensation for such services.

Section 6. The Executive Board may appoint temporary organizers for a period of time to be determined by the Executive Board, not to exceed the term of the Executive Board and determine the compensation for such service.

Section 7. The Executive Board shall have the power to add to the Executive

Board representatives from large industrial groups of one hundred (100) members or more that are organized during their terms of office, providing such groups shall elect by secret ballot said Executive Board representative. Such appointment shall have voice but no vote, until and unless elected in the next General Election.

Section 8. In the event that a large industrial group of one hundred (100) or more members fails to secure the election of a member to the Executive Board, the Executive Board shall appoint to the Executive Board a member of said group to serve for the ensuing term.

Section 9. The Executive Board shall act as the Trial Board of the Union.

Section 10. The Executive Board shall employ such clerical assistance as it deems necessary for the proper conduct of the Union's business and shall determine the compensation for such employees.

However, the Executive Board's decision may be amended or reversed at a membership meeting by a two-thirds (2/3rds) vote of those in attendance.

Section 11. The Executive Board shall have the power to appoint such sub-committees as it may deem necessary.

Section 12. Any officer or member of the Executive Board as enumerated in Section 1 of this Article who fails to attend three (3) successive membership meetings, or Executive Board meetings, including special meetings without being excused from such attendance by the Executive Board or six (6) regularly scheduled Executive Board meetings in a twelve (12) month period, shall be deemed to have forfeited her/his office and the Executive Board, pursuant to Article 23, may appoint a successor for the balance of unexpired term; provided, however, that if the office of the President is thus declared vacant the Vice-President shall perform the duties of the President until the next general election as provided in Article 9.

Section 13. The Executive Board shall employ a full-time Business Representative(s) who may, but is not required to be an officer or a member of the Local Union. The Business Representative(s) shall be responsible to and take instructions from the Executive Board. Her/his compensation and expenses shall be determined by the Executive Board. The decision of the Executive Board as to who shall be the Business Representative(s) and the amount of her/his compensation and expenses may be reversed at a membership meeting by a two-

thirds (2/3rds) vote of the membership present at such meeting.

Section 14. To insure the same measure of job security afforded our membership, union political affiliations or the change of an administration shall not be a factor in the discharge of a union representative employed by Local 42. She/he shall be discharged only for just cause, the specific charges to be in writing and be passed by a two-third (2/3rd) vote of the Executive Board. The Union Representative(s) may appeal her/his discharge to the next regularly scheduled membership meeting, and, if the appeal is upheld, shall be compensated for all lost wages and expenses.

ARTICLE 9 - ELECTIONS

Section 1. It shall be the aim of the Union to elect to the Executive Board the most capable members of the various groups comprising the membership of the Union.

(a) No person who is or has been a member of the Communist Party or who has been convicted of, or served any part of a prison term resulting from her/his convictions of, robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, violation of narcotics laws, murder, rape, assault with intent to kill, assault which inflicts grievous bodily injury, or a violation of Title II of the Labor-Management Reporting and Disclosures Act of 1959, or conspiracy to commit any such crimes, shall serve as an officer, director, trustees, member of any Executive Board, or similar governing body, business agent, manager, organizer or other employee (other than as an employee performing exclusively clerical or custodial duties) of any labor organization during or for five (5) years after the termination of her/his membership in the Communist Party, or for five (5) years after such conviction, or after the end of such imprisonment, unless prior to the end of such five (5) year period, in the case of a person so convicted or imprisoned, (a) her/his citizenship rights, having been fully restored, or (b) the Board of Parole of the United States Department of Justice determines that such person's service in any capacity referred to above would not be contrary to the purposes of this Act.

Section 2. The officers and members of the Executive Board shall be elected by the membership and shall hold office for a term of three (3) years and be elected by the membership for the above term at the General Election of the Union to be held in October, 1978, and every three (3) years thereafter.

Section 3. The nominations shall be declared open at the special membership meeting to be held in the month of September, 1978, and every three (3) years

thereafter.

Section 4. All persons nominated shall indicate their acceptance or declination (1) verbally if present at the meeting, otherwise (2) in writing within five (5) days after such nomination. Notice of such meeting shall be given to all members in good standing not less than fifteen (15) days prior to the date of such meeting.

Section 5. The elections shall take place on the day of the October meeting. On the day of the October meeting, voting shall be at a place approved by the Executive Board; between 11:30 a.m. and 8:00 p.m. The Election Committee shall count the ballots at Local Union headquarters beginning no later than 9:00 a.m. on the day after the election and shall continue until the counting is completed. The results shall be available at Local Union headquarters immediately after the counting is completed. Complete election results shall be mailed to all candidates and stewards within five (5) days and may be published in the next issue of the official Local Union's news publication.

Section 6. Immediately upon the closing of the polls, the ballots shall be sealed in ballot boxes with seals obtained from the City Election Commission and deposited in a police station overnight.

Section 7. No member of the Union shall be permitted to vote unless she/he is in good standing of the Union.

Section 8. No person shall be elected or appointed to an office in or as an Executive Board member of this Union unless she/he has been a member of this Union in continuous good standing at least the preceding twelve (12) months.

Section 9. No member shall accept nomination for more than one office, but nominees for Standing Committees may be a candidate for one or more committees and a candidate for the Executive Board.

Section 10. The candidates receiving the greatest number of votes cast shall be elected.

Section 11. Each candidate shall be entitled to have one challenger present at the counting of the ballots. The expense of such challenger shall be paid by the candidate.

Section 12. No votes for any member who is not duly nominated and listed on the ballot may be counted by the Election Board. (No sticker or write-in candidate.)

Section 13. No voting by proxy. Ballots shall automatically be mailed to all members working outside a 25-mile radius from the Local Union office. Requests for absentee ballots shall be submitted to the Election Committee in writing no later than 4:00 p.m. on the second Wednesday after nominations. Sealed absentee ballots shall be returned to the Election Committee not later than the closing of the polls.

Section 14. All Officers and Executive Board Members shall be inaugurated at a special membership meeting of the Union to be held for that purpose within one (1) week after the election and shall assume office immediately after such inauguration. Before entering upon the duties of their respective offices, the newly elected Officers shall subscribe to the following installation obligation:

“I _____, solemnly pledge my word and honor before these witnesses that I will, to the best of my abilities, perform the duties of

my office. At the close of my official term, I will turn over to any successor all books, records, and all other properties, including funds, of this Local Union, that may be in my possession. I will also deliver all such properties to the International Union upon lawful demand. I will at all times devote my efforts to further the objectives and best interests of my Union.”

Section 15. The Recording Secretary of this Union shall be required to mail notices to the membership in good standing, to their last known address, of the nomination and election of Officers; such notices to be mailed not later than fifteen (15) days preceding such nomination or election.

ARTICLE 10 - ELECTION BOARD

Section 1. An Election Board of five (5) members shall be nominated and elected at the regular membership meeting in June of the year of the Local Union Officers election. The Election Board shall have the right to appoint any clerical help required.

Section 2. The Election Board is charged with the duty of conducting the regular elections of Officers and Executive Board members of the Union. The Election Board shall make such regulations and rules as shall assure the members of a fair and honest election.

Section 3. The Election Board shall have the duty of enforcing the right to vote of the members and shall see that such right of franchise is not interfered with or hindered by anyone.

Section 4. The Election Board shall examine the Union books of all members before permitting them to vote, and shall compare said books with lists to be supplied by the Secretary-Treasurer.

Section 5. After an election has been held and the report of the Election Board has been rendered, all elections records and ballots shall be turned over to the Secretary-Treasurer for safekeeping among the records of the Union for not less than one (1) year. The election records cannot be opened unless authorized by the Union.

Section 6. A recount may be ordered upon presentation to the Executive Board of a petition signed by ten percent (10%) members of the Union in good standing.

The petition must be presented to the Executive Board within fourteen (14) days after the election, and this petition shall enumerate the reasons why such ten percent (10%) members believe a recount should be held. If the Executive Board rules that a recount should be held, it shall proceed to appoint a Recount Committee of disinterested members of the Union to conduct the recount. If the Executive Board denies the petition, it shall make a report of its ruling to the next regular membership meeting and it shall require a majority vote of those present to reverse the Executive Board's decision. Upon receipt of a recount petition, the President shall call a Special Meeting of the Executive Board to consider such petition.

The installation of all newly elected Officers, Trustees, and Executive Board Members shall not be held until a final disposition has been made on the petition for a recount and/or actual recount. If the membership meeting reverses the Executive Board's decision, the matter shall revert to the Executive Board and it will appoint a Recount Committee. No candidate elected or defeated shall be eligible for membership on the Recount Committee, but any candidate shall be permitted to attend all meetings of the Recount Committee as an observer. The Committee shall report its findings to the membership at a regular meeting. If a report of the Committee declares that their tabulation shows that a defeated candidate has actually been the recipient of the greatest number of votes cast for that office, and if the Committee's report is accepted by a plurality of the members present at the meeting. The candidate actually receiving the greatest number of votes shall be declared elected.

ARTICLE 11 - ELECTION OFFENSES

Any member found guilty by the Trial Board of tampering with ballots, illegal voting, committing fraud, violence, coercion, or other conduct not included in the foregoing, which in any manner interferes with a member's rights of franchise shall be subject to expulsion, suspension or fine by the Trial Board.

ARTICLE 12 - DUES, FINANCES

Section 1. (a) The regular dues of the membership of the Union shall be as follows:

*Effective April 1, 1983, members of Local 42 employed full-time (more than 85

hours in a calendar month) will pay dues equal to two (2) hours' pay including COLA.

*Members employed part-time (85 hours or less in a calendar month) will pay dues equal to one (1) hour's pay including COLA.

*No member will pay dues in excess of \$20.00 a month.

**Effective October 1, 1984, all Local Union dues shall be increased by a minimum One Dollar (\$1.00) per month or average equivalent of same and no Local Union shall charge regular monthly dues of less than Nine Dollars (\$9.00) per month;

**Effective October 1, 1985, all Local Union dues shall be increased by a minimum of One Dollar (\$1.00) per month or average equivalent of same and no Local Union shall charge regular monthly dues of less than Ten Dollars (\$10.00) per month.

*OPEIU, Local 42 Membership Action

**OPEIU International Convention Action

Laid-off members, members on maternity or personal leaves, who maintain rehiring rights through collective bargaining agreements, may continue to pay dues or take a Withdrawal Card, whichever they prefer. However, any member who receives remuneration from the Employer equivalent to one (1) contractual work week also shall pay that month's dues.

(b) The Initiation Fee for applicants for membership shall be Fifty Dollars (\$50.00).

(c) The Reinstatement Fee for delinquent and/or suspended members shall be Twenty-five Dollars (\$25.00).

Section 2. (a) Any former member of a Union affiliated with the AFL-CIO not under the jurisdiction of this International Union who accepts employment under the jurisdiction of this Union shall, if she/he so elects (providing that her/his former union has a reciprocal plan of accepting Withdrawal Cards from Local Unions of this International Union in lieu of an initiation fee), upon application for membership and irrevocable surrender of an Honorable Withdrawal Card or

evidence of honorable termination of membership in those instances where Unions do not issue Withdrawal Cards, and upon payment of monthly dues, if accepted in this Union, be inducted into this Union without payment of any initiation fees (the Secretary-Treasurer of this Union forward such evidence to the International Secretary-Treasurer in lieu of initiation fee on such applicant); and provided further that;

(b) When, in the judgment of the President of the International Union, it shall be deemed by her/him to be in the best interests of the International Union to waive initiation or reinstatement fees in whole or in part in connection with any particular organizational campaign, the President of the International Union shall be empowered to waive such fees if this Local Union shall so request; and provided further, that;

(c) The Executive Board may reduce the initiation fees to not less than \$2.00 when the Executive Board feels that such reduction would be in the best interests of the Union.

Section 3. Any member who is more than three (3) months in arrears in dues shall be classified as a “Suspended Member”, and not in good standing. Such suspended member must pay a reinstatement fee of Twenty-five Dollars (\$25.00) together with all dues up to and including the current month before she/he can regain her/his good standing in the Union.

Section 4. All proposals for increase of dues must be presented to the Executive Board. If the Executive Board approves such increase of dues, the action shall be incorporated in its minutes, to be read at the next membership meeting. There can be no vote or discussion on the subject of the dues increase at that meeting, but it shall be held over until the succeeding membership meeting. The meeting notice for the succeeding meeting shall contain a statement informing the members of the nature of the proposal and that a vote will be taken at the membership meeting. A majority vote, by secret ballot, shall be required to constitute acceptance of the proposed dues increase.

Section 5. No initiation fee shall be required by this Local Union of any person involuntarily inducted into the Armed Services of the United States or Canada or entering such services during emergency period, as determined by the International Union Executive Board, if such person applies for membership with a period of one (1) year after her/his discharge, provided she/he has other than a dishonorable discharge and provided same is initial employment following such service.

Section 6. Union Awareness Fund - An amount of \$0.05 cents on each per capita unit received shall be transferred from the General Fund into the Union Awareness Fund. The Executive Board shall make all determinations concerning the administration of this fund.

Section 7. Roxie Simpson Scholarship - An amount of \$0.05 cents on each per capita unit received shall be transferred from the General Fund into the Roxie Simpson Scholarship Fund. The Executive Board shall make all determinations concerning the administration of this fund.

ARTICLE 13 - USE OF FUNDS

Section 1. The funds of this Local Union cannot be divided in any way among individual members and can be utilized only for valid Union purposes.

Section 2. The General Fund shall be use for the payment of expenses incurred by this Union, and as a depository for its monies.

Section 3. All disbursements shall be made by checks drawn on the General Fund and shall be signed by either the President or Vice-President of the Union and the Secretary-Treasurer.

Section 4. The fiscal year of this Local Union shall be the twelve (12) month period ending with the last day of the month of December of each year.

Section 5. The initiation fees, reinstatement fees and other obligations owed by this Union to the International Union shall constitute a preferred claim and must be paid promptly by this Union each month prior to the payment of any other obligation of this Union.

ARTICLE 14 - AUDITING OF BOOKS

Section 1. The Trustees shall approve every check issued by the Union, shall periodically (at least quarterly and at the end of each fiscal year) audit all books, vouchers and other financial records of the Union, and shall report each such audit to the Union and to the Secretary-Treasurer of the International Union.

Section 2. The Trustees shall prepare a report and submit same to the Executive Board. Following the submission of the Trustee's report to the Executive Board, the same shall be read at the next regular membership meeting and shall be posted on the bulletin board in the office of the Local Union for the ensuing two (2) weeks.

ARTICLE 15 - OFFENSES AND PENALTIES

Section 1. In any case involving disciplinary action there shall be no resort to a court of law until such relief within the Local Union under its Constitution and By-Laws, and within the International Union under its Constitution, has been exhausted.

Section 2. Any member may be penalized for committing any one or more of the following offenses:

(a) Publicizing or giving information about Union affairs to persons not entitled to such information;

(b) Working for an Employer against whom the Union has declared a strike or whom the Union has declared to be unfair unless permission has been granted by the proper Officers of the Union;

(c) Entering the employ of any Employer who is under a Collective Bargaining Agreement with the Union without first obtaining a Work Permit from the office of the Union;

(d) Working for less than the rate of pay provided for by the Contract with the Union;

(e) Permitting any other person to use or work on her/his membership book;

(f) Failure to appear before the Executive Board or the Trial Board when ordered to do so;

(g) Obtaining membership through fraudulent means, or by misrepresentation;

(h) Violation of the oath of membership, or of office, if an Officer;

(i) Working in the interests of any organization or dual union opposed to the interests this Union;

(j) Being present or entering a meeting of members of the Executive Board while intoxicated, or disturbing the peace of any such meeting by creating or participating in disturbances, or of similar conduct in and about the headquarters of the Union;

(k) Causing or participating in a stoppage of work because of any alleged grievance or dispute without the authorization of the Union or its proper Officers;

(l) Any acts or misconduct which is detrimental to the best interests of the Union, or of conduct unbecoming a member of the Union; or of violation of any of the provisions of the Constitution and By-Laws of this Union or of the Constitution of the International Union.

Section 3. Any member who has been found guilty of any of the above offenses or for violation of the International Constitution by the Trial Board may be expelled, suspended and/or fined by action of the Trial Board.

ARTICLE 16 - TRIAL BOARD PROCEDURE

Section 1. Charges may be brought in writing by any Officer or member of the Local Union or of the International Union by filing same with the Secretary-Treasurer of the Local Union. The Secretary-Treasurer of the Local Union shall immediately thereafter serve a copy of such charges upon the accused and as soon as practicable but not later than fifteen (15) days notifying the accused of the time and place of trial or hearing upon such charges. Trial shall be held before the Executive Board of the Local Union and any representative designated by it in the manner set forth below. If any Officer or Member of the Executive Board is directly concerned with any charges against the member, the President of the Union may declare such Officer or Executive Board Member ineligible to serve as a member of the Trial Board.

Section 2. The charging party or her/his representative shall first present evidence of the charged violation, and, upon completion of such evidence, the accused shall have an opportunity to fully present such evidence as she/he may have in her/his behalf, including witnesses, documents, statements, or defenses. Any accused

member shall have the right to be represented in her/his defense by any other member of the Local Union, and shall have the further right of advice and consultation of legal counsel, if desired, but no Attorney-at-Law shall be entitled to be present in any such proceeding. Stenographic minutes shall be taken at the trial.

Section 3. At the close of the evidence, the Board shall decide by majority vote whether or not a violation has been found, and shall affix such penalties as the Executive Board deems reasonable and proper. Where the penalty for any violation found is expulsion from membership, or where a Local Union by its own Laws, provides for some other appellate authority, then such appeal must be filed at the next regular meeting of the Local Union, where a two-thirds (2/3rds) vote of those members present and voting shall be necessary to sustain such expulsion. Appeals which do not involve expulsion may be sustained by a majority of members present and voting. Failure to take any appeal within twenty (20) days after a decision has been rendered shall cause the matter to stand as decided, and no further appeals may be taken thereafter.

Section 4. If any authorized appeal is taken within the Local Union then an aggrieved party may appeal to the International Union Executive Board at its next meeting. Such appeal must be filed in writing with the International Secretary-Treasurer within twenty (20) days after any final decision of the Local Union Executive Board (or vote of the membership in cases of expulsion), and must state the basis of such appeal with reasons why the decision of the Local Union Executive Board, or membership, would be reversed or set aside.

Upon receipt of any such appeal, the International Secretary-Treasurer shall notify the Local Union Executive Board and provide copies of appeal papers to it. The Local Union Executive Board, or any party affected by such decision, shall have a right to state reasons in writing within twenty (20) days after receipt of a copy of appeal papers why such decision should be modified, upheld, or set aside by the International Executive Board. The International Executive Board shall dispose of such appeal upon the record and documents before it by majority vote, and shall have the authority to affirm, set aside, or modify the decision of the Local Union in any manner considered reasonable and proper.

Within thirty (30) days after receipt of any decision of the International Executive Board, any aggrieved party may file an appeal to the next regular Convention of the International Union by filing a notice of appeal in writing with the International Secretary-Treasurer. Any such appellant shall have the right to appear before any appeals committee that may be set up by the Convention, but not before the Convention itself, except with the Convention's consent. In any case, there shall be no resort to a court of law until all relief within the International Union under its Constitution has been exhausted.

Section 5. In the event a defendant does not appear for trial, the trial shall proceed upon proof that sufficient notice of the time and place set for the trial was given to the defendant. The defendant shall be notified of the verdict.

ARTICLE 17 - APPLICANTS

Section 1. All applicants for membership must sign the application form and answer truthfully all questions contained in said form.

Section 2. Upon acceptance of initiation fee and dues from such applicant, he or she shall automatically become a member of this Local Union.

Section 3. No applicant shall be barred from membership in the Union because of race, color, creed or sex.

Section 4. All applicants shall take the following oath at said membership meeting:

“I _____, pledge my honor before these witnesses to faithfully comply with the Constitution, laws, and all amendments thereto of Office and Professional Employees International Union, Local 42, and of the International Union.”

ARTICLE 18 - PROCEDURE AT MEETINGS

Section 1. The President of the Union shall act as Chairman at all regular meetings or special membership meetings and Executive Board meetings. Except

as otherwise provided in this Constitution and By-Laws, Roberts Rules of Order Revised shall apply at all meetings of this Union.

Section 2. It is provided further that any member requesting the floor from the Chair shall make that request by stating his/her name and place of employment.

ARTICLE 19 - REMOVAL OF OFFICERS

Section 1. All Officers, Trustees, Executive Board Members, and all members of all standing committees are deemed “officials” within the purview of this Article.

Section 2. Any official who has been found guilty of any of the following offenses shall be removed from office, and in addition may be expelled from membership, or be forever barred from holding any office in the Union:

(a) Dishonesty in the conduct of her/his office, fraud, corruption, accepting any bribes or intimidation of any members;

(b) Abuse of office or gross negligence in the conduct of her/his office;

(c) Conduct unbecoming an official of the Union;

(d) Holding membership or working in the interests of any Communist, Fascist or Nazi organization, or of any organization engaged in subversive activity.

Section 3. No impeachment proceeding may be entertained unless there has been a petition filed with the Executive Board, signed by no less than twenty-five percent (25%) of members in good standing. The petition shall state the specific offense with which the official is charged with violation, as well as a brief statement sufficient to apprise the signatories of the nature of the charge being preferred.

Section 4. The Executive Board shall sit at the Trial Board in all proceeding under this Article. Any official under charges by virtue of any impeachment petition shall be automatically barred from acting as a member of the Trial Board.

Section 5. The Trial Board shall follow the same procedure as provided for in Article 16 of this Constitution in any impeachment proceeding.

Section 6. Any official found guilty of violating any provision of this Article shall have the right to appeal to the International Executive Board at its next meeting. Pending any decision of such appeal, the determination of the Trial Board shall be final unless its decision is reversed in the manner provided for in Article 16 of this Constitution and By-Laws.

ARTICLE 20 - WITHDRAWAL CARDS

Section 1. Any member of the Union leaving the clerical field or the jurisdiction of this Union or the International Union may apply to the Local Union for a Withdrawal Card. However, no Withdrawal Card can be issued unless the member has paid dues up to and including the month during which the Withdrawal is requested; and provided further that such member is in good standing with this Local Union and the International Union.

Whenever any member is not in the employment of any Employer who bargains with any Local Union or the International Union, the Local Union shall issue a Withdrawal Card to such member, subject to the provisions of this Section. This Sub-Section shall not apply to any member who holds office in, or is employed by, the International Union, any of its Local Unions or Councils, any Federation or Council of Labor Organizations with whom the International Union or any of its Local Unions is affiliated, or any Central Body with whom any Local Union is affiliated, or to any member entitled to benefits under any Health, Welfare, or Pension Plan whose continued coverage is conditioned upon union membership or to any member who, in the regular course of employment has become retired, or to any unemployed member seeking dispatch to a Union job through the facilities of the Local Union.

Section 2. Upon deposit of Withdrawal or Universal Transfer Card, eligibility to vote at election or to run for office shall be the same as provided for in Article 5 governing the rights and privileges of members.

Section 3. Any person bearing a Withdrawal or Universal Transfer Card shall not be entitled to participate in the operation of this Union. A person bearing a Withdrawal or Universal Transfer Card who has complied with the conditions of same, shall, upon returning and commencing work within the jurisdiction of this Union, deposit such card and shall be admitted to membership in this Union without the payment of any initiation or transfer fee.

Section 4. Withdrawal Cards shall be issued by the Secretary-Treasurer of this Union, and monthly reports of all such cards issued, deposited or canceled shall be made to the Secretary-Treasurer of the International Union.

Section 5. All Withdrawal Cards shall be secured by this Local Union from the Secretary-Treasurer of the International Union.

ARTICLE 21 - MILITARY SERVICE

Members entering the Armed Services of the United States or Canada during emergency periods as determined by the Executive Board of the International Union, and who are in good standing with all obligations to the International Union and the Local Union paid, including the month in which they entered the armed services, shall be issued military service cards which shall continue their membership without the payment of dues or other fees for the period of the service required by such emergency periods, and for additional ninety (90) day period or until they again resume work within the jurisdiction of the Local Union, whichever occurs first, except that such persons shall only accrue rights to benefits to the extent determined by their respective Local Union.

ARTICLE 22 - STRIKES

Section 1. This Local Union shall not call a strike against an Employer (or Employers) unless the members of the Local Union employed by such Employer (or Employers) by a majority vote of those present at a meeting called for this purpose so request by secret ballot; provided further, that at a meeting of this Local Union, of which all members have been notified and called for the purpose of discussing the proposed strike, a majority of those present shall have voted by secret ballot to grant strike sanction, but provided that the Local Union may, by secret ballot at a meeting duly called for such purpose, confer blanket or other authority upon its Executive Board to call any or all strikes; and provided finally that approval of the President of the International Union shall be obtained.

Section 2. The Local Union Executive Board shall be authorized to call a strike between membership meetings, provided finally that approval of the President of the International Union shall be obtained.

Section 3. Strikes against any Employer, or Employers, may be terminated if a majority of the members of the Local Union employed by such Employer, or Employers, so request by secret ballot, and provided such action is concurred in by a majority of the members of the Local Union or of the Executive Board of the Local Union present at a regular or special meeting of either, voting by secret ballot.

ARTICLE 23 - VACANCIES IN OFFICE

In the event any vacancy is created by the resignation or removal of an official of the Union, the Executive Board shall be empowered to appoint a successor to fill the vacancy until the expiration of the term.

ARTICLE 24 - SALARIES OF OFFICIALS

The Executive Board shall determine compensation for all officials of the Union, provided that the Executive Board decision may be amended or reversed at a membership meeting by a two-thirds (2/3rds) vote of those in attendance.

ARTICLE 25 - LIMITATIONS ON COMMITTEES

Section 1. In addition to other committees and boards established by the Constitution and By-Laws, this Union shall provide for such other standing committees, and from time to time such special committees, as may be proper and necessary to conduct the business of this Union.

Section 2. In establishing such other committees, the duties of the committee, the extent of its authority, and the permissible amount of expenditures that may be made by such a committee must be made a part of the minutes. In any event, such committees shall not be permitted to exercise functions belonging to other committees or boards; shall not make or authorize expenditures without the prior approval of the membership; and shall not exceed the authority granted to them by the membership. The President shall be an ex-officio member of all committees.

ARTICLE 26 - STEWARDS

The number of stewards for each Employer and their apportionment among the various departments shall be as determined by the Executive Board.

ARTICLE 27 - AFFILIATIONS AND DELEGATES

Section 1. (a) This Union shall be affiliated with the organizational conference embracing its geographical jurisdiction as designed by the International Union Executive Board.

(b) All conference delegates are to be elected by secret ballot vote.

Section 2. This Union shall be affiliated with all Central Labor Organizations, Councils, Departments of Federations, chartered by or affiliated with the American Federation of Labor and Congress of Industrial Organizations and/or Office and Professional Employees International Union.

Section 3. Delegates to the aforesaid Central Labor Organizations, Councils, Departments or Federations shall be selected in such manner as determined by vote of the membership at a regular meeting of this Union.

Section 4. Each delegate to a Convention must have been in continuous good standing with the Local Union he/she represents for at least twelve (12) months prior to the convening of the Convention, unless the Local Union has been functioning (the period when a Local Union shall be deemed to be “functioning” shall be that commencing with the first month for which per capita tax payments are regularly made) for less than one (1) year, in which case such delegates must have been in good standing during the period that the Local Union has been so functioning. Each delegate shall be selected by secret ballot vote of the Local Union.

Section 5. Delegates shall attend the meetings or sessions of the body or assembly in which they have been delegates, faithfully represent this Union and protect the interests, and properly present and support its declared policies and instructions. They shall report to this Union the proceedings of the organization to which they were delegates, and perform such other duties as pertain to their office.

ARTICLE 28 - INTERNATIONAL CONSTITUTION

The Constitution of the International Union shall be the paramount law applying to the government of this Union, and all provisions of said International Union Constitution insofar as the same are or may be applicable to the affairs and activities of this Union are hereby, by reference thereto, incorporated into and made a part of this Constitution and By-Laws, and any provision contained herein which is contrary to or in conflict with the provisions of the International Union Constitution shall be inoperative and of no effect, except as the International President may otherwise specifically approve.

ARTICLE 29 - AMENDMENTS

Section 1. A proposed amendment to this Constitution may be introduced by the Executive Board, or by a petition containing the proposed amendment which has been signed by at least ten percent (10%) of the members in good standing. Such petition must be presented to the Executive Board before it can be considered by the body.

Section 2. The Executive Board shall include the proposed amendment in its minutes to be read at the next membership meeting. There can be no vote or discussion on the subject of the amendment at that meeting, but it shall be held over until the succeeding membership meeting.

Section 3. The meeting notice for the succeeding meeting shall contain a statement informing the members of the nature of the proposed amendment and that a vote will be taken at said meeting. Amendments to the Local Union's Constitution can be made only by a vote of two-thirds (2/3rds) of those eligible members voting on such matters, except that changes in dues, initiation fees and reinstatement fees shall require only a majority vote of those members voting on any such issue, except as the International President may otherwise specifically approve.

Section 4. No amendment to this Constitution and By-Laws shall take effect until the approval of the President of the International Union has been secured.

AMENDMENT TO ARTICLE 12 - SECTION 1A, PARAGRAPHS 1 AND 2

*Effective April 1, 1983, members of Local 42 employed full-time (more than 85 hours in a calendar month) will pay dues equal to two (2) hours pay including COLA.

*Members employed part-time (85 hours or less in a calendar month) will pay dues equal to one (1) hour's pay including COLA.

*No member will pay dues in excess of \$20.00 a month.

**Per OPEIU International Convention Action, dues are required to be increased by amounts listed below for each member per month on the following dates:

DATE	AMOUNT INCREASED	TOTAL DUES
October 1, 1984	\$1.00	\$21.00
October 1, 1985	\$1.00	\$22.00
October 1, 1987	\$1.00	\$23.00
October 1, 1988	\$1.00	\$24.00
October 1, 1990	\$1.00	\$25.00
October 1, 1991	\$1.00	\$26.00
October 1, 1994	\$1.00	\$27.00
October 1, 1995	\$1.00	\$28.00
October 1, 1997	\$1.00	\$29.00
October 1, 1998	\$1.00	\$30.00
October 1, 1999	\$1.00	\$31.00
October 1, 2000	\$1.00	\$32.00
October 1, 2001	\$1.00	\$33.00
October 1, 2002	\$1.00	\$34.00
October 1, 2003	\$1.00	\$35.00
October 1, 2004	\$1.50	\$36.50
October 1, 2005	\$1.50	\$38.00
October 1, 2006	\$1.50	\$39.50
November 1, 2007	\$0.50	\$40.00

* OPEIU 42 MEMBERSHIP ACTION

** OPEIU INTERNATIONAL CONVENTION ACTION