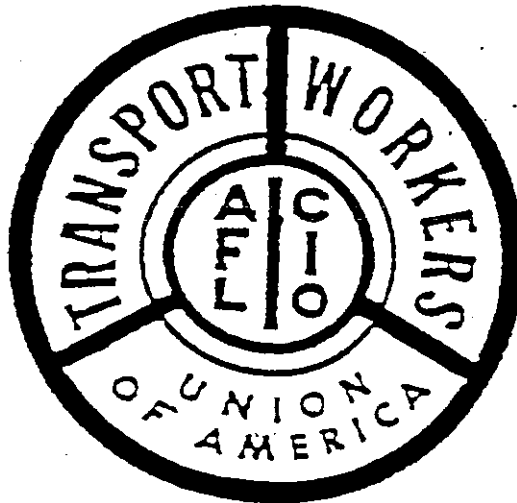


BY - LAWS

of the

TRANSPORT WORKERS UNION
OF AMERICA, AFL-CIO

LOCAL 250-A



Local Union Office

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415.922.9495

as amended by

THE 17TH TWU CONSTITUTIONAL CONVENTION, 1985

BY-LAWS

TRANSPORT WORKERS UNION OF AMERICA

AFL-CIO - LOCAL 350-A

ARTICLE I

NAME

SECTION 1.

This organization shall be known as the Transport Workers Union of America, AFL -CIO, Local 350-A.

ARTICLE II

OFFICERS

SECTION 1.

The Officers of the Local shall be:

- (a) President
- (b) Executive Vice-President
- (c) Financial Secretary-Treasurer
- (d) Recording Secretary
- (e) Three (3) Vice-Presidents
- (f) Four (4) Executive Board Members

SECTION 2.

The Union shall have seven (7) divisions:

- (a) Woods
- (b) Kirkland
- (c) Petreco
- (d) Geneva -
- (e) Presidio
- (f) Cable Car
- (g) Miscellaneous

SECTION 3.

There shall be elected from each division:

- (a) Chairman
- (b) Vice-Chairman
- (c) Secretary

SECTION 4.

- (a) The Division Chairman of Woods, Kirkland and Petreco Divisions shall each, by virtue of this office, be Vice-Presidents of the Local. (These are the largest three divisions.)

*The use of the masculine gender in this Constitution shall be construed as including both genders.

- (b) **The Division Chairman of Geneva, Presidio, Cable Car and Miscellaneous Divisions Shall each, by virtue of his office, be members of the Local Executive Board.**

ARTICLE III

DUTIES

SECTION 1.

PRESIDENT

- (a) **The President shall be a full-time officer of the Local Union and shall have all of the powers and duties as provided for in the International Constitution.**
- (b) **He shall have the power to appoint or remove one full-time Staff Representative with the approval of the Executive Board.**
- (c) **He shall have the power to appoint or remove Shop Stewards, whose function shall be to assist the Local Executive Board in the performance of their duties.**
- (d) **He shall appoint all committees.**

SECTION 2.

FINANCIAL SECRETARY TREASURER

- (a) **The Financial Secretary-Treasurer shall be a full-time officer of the Local Union and shall perform all the Duties as provided for in the International Constitution.**
- (b) **He shall be required to aid and assist the President in all phases of the grievances procedure.**

SECTION 3.

RECORDING SECRETARY

- (a) **The duties of the recording Secretary shall be as provided for in the International Constitution.**

SECTION 4.

VICE PRESIDENT

- (a) **The Vice-President shall assist the**

President in the discharge of his duties, to such an extent as the President shall determine.

- (b) The Vice-Presidents shall perform all the duties as provided for in the International Constitution.
- (c) The Executive Vice-President shall assume the duties of President in the absence of the President, to such an extent as the President shall determine.

SECTION 5.

STAFF REPRESENTATIVE

- (a) The Staff Representative shall be a full-time officer and shall be under the direction of the President, subject to the direction of the Executive Board.

SECTION 6.

DIVISION OFFICERS

- (a) The Chairman shall perform such duties as the Local Union or the Local Executive Board may assign to him. He shall be responsible for the proper conduct of the affairs of his Section or Division. He shall preside at all Section or Division meetings.
- (b) The Vice-Chairman and Secretary shall assist the Chairman in the discharge of his duties. In the absence of the Chairman, the Vice-Chairman or the Secretary shall assume the duties of the Chairman to such an extent as the Chairman shall determine.
- (c) The Secretary shall file with the Financial Secretary-Treasurer of the Local, and keep up to date, the names, addresses and telephone numbers of the members in his Section or Division. He shall maintain records and files of all Union business of his Section or Division.

ARTICLE IV

EXECUTIVE BOARD

- SECTION 1. The Local Executive Board shall consist of the Local Officers and the Executive Board members.
- SECTION 2. The Local Executive Board shall have all of the powers and duties set forth in the International Constitution.
- SECTION 3. The Local Executive Board shall be the supreme governing body in the Local Union, except only that any action, decision or rule of the Local Executive Board may be reversed or amended by the vote of the majority of the members of the Local Union voting at a general membership meeting of the Local Union.

ARTICLE V

TRUSTEES

- SECTION 1. The trustees of the property of the Local Union, subject to the direction of the Local Executive Board, shall be the President, Financial Secretary-Treasurer and Recording Secretary.

ARTICLE VI

WAGES

- SECTION 1. The President shall receive two hundred and ten dollars (\$210.00) per week (commencing 1966).
- SECTION 2. The Financial Secretary-Treasurer shall receive one hundred and ninety dollars (\$190.00) per week (commencing 1966).
- SECTION 3. The Staff Representative shall receive two hundred and ten dollars (\$210.00) per week (commencing 1967).
- SECTION 4. The Recording Secretary shall be paid forty dollars (\$40.00) per month.
- SECTION 5. The President, Financial Secretary-Treasurer, Staff Representative and Recording Secretary shall

be reimbursed for all legitimate expenses incurred in the performance of their duties, upon presentation of proof thereof, subject to the approval of the Local Executive Board.

SECTION 6. The President, Financial Secretary-Treasurer, and Staff Representative shall receive raises in salary on a percentage basis equal to the fringe benefits received by the platform employees.

SECTION 7. There shall be established for full-time paid officers, a Severance Pay Plan, into which the Local shall contribute the amount equal to the percentage contributed by the Employer to the Retirement System.

ARTICLE VII

VACANCIES

SECTION 1. In the event that a vacancy occurs in the office of the President, the Executive Vice-President shall act as President for the unexpired term.

SECTION 2. In the event that a vacancy occurs in the office of Executive Vice-President, Financial Secretary-Treasurer, or Recording Secretary between elections, the Local Executive Board shall appoint one of its members to fill the position for the unexpired term. If no member of the Executive Board accepts the vacant position, the President shall have the authority to appoint from among the membership, subject to the approval of the Local Executive Board.

SECTION 3. In the event of a vacancy among the Local Executive Board Members, the Local Executive Board shall, from among the membership, fill the vacant office for the unexpired term.

SECTION 4. In the event that a vacancy occurs in any Division or Section office, such shall be filled by appointment of the President in accordance with Article III, Section 1 (c) of these By-laws.

ARTICLE VIII

DUES

- SECTION 1.** The dues for membership shall be in accordance with the International Constitution. (In accordance with Article XVII, Section 2 of the TWU International Constitution.)
- SECTION 2.** The initiation fee shall be fifteen dollars (\$15.00). (In accordance with Article XVII, Section 1 of the TWU International Constitution.)
- SECTION 3.** No application for membership will be accepted unless accompanied by a signed check-off card covering the applicant's dues and initiation fee. The card shall provide for the deduction of the initiation fee at the rate of the full amount one time only.
- The applicant may eliminate the initiation fee check-off by paying his initiation fee in full with the application. The applicant's membership shall not begin until his application has been approved by the membership committee and the Local receives the first payment pursuant to his check-off card, or accepts his cash payment of the initiation fee.
- SECTION 4.** Any member who has been cited for delinquency in the payment of dues shall be reinstated only after making formal application to the Local Union for reinstatement with the payment of all delinquent dues up to and including the current month.
- SECTION 5.** Membership dues are due and payable on the first working day in each calendar month, in accordance with Article XIII, Section 3 of the International Constitution.

ARTICLE IX

MEETINGS

- SECTION 1.** The Local Executive Board shall meet at least once in each calendar month. Additional meetings may be called by the Local President, or shall be

called by him within five days after the receipt of a petition signed by the majority of the members of the Local Executive Board.

- SECTION 2.** The Joint Executive Board consisting of all Local Officers, Executive Board Members, and Division Officer, shall meet at a least once in each calendar month. Additional Meetings or shall be called by him within five days after the receipt of a petition signed by the majority of the members of the Joint Executive Board.
- SECTION 3.** The Local Membership shall meet at least once each month on a date fixed by the Local Executive Board. Special meetings may be called on the authority of the majority of the Local Executive Board, or must be called on petition of twenty percent (20%) of the membership in the Section or Division.
- SECTION 4.** Each Section or Division shall meet at least once a month on a date fixed by the members of the Section or Division. Special Meetings may be called on the authority of the Local President, or of the majority of officers of the Section or Division, or must be called on petition of twenty percent (20%) percent of the membership in a Section or Division.
- SECTION 5.** All notices of Division or Section Division membership meetings shall list the business to be discussed. Only action taken on the agenda as posted shall be binding on the Section or Division membership.
- SECTION 6.** A quorum of fifty (50) members must be present at a general membership meeting and ten (10) members must be present at a Section or Division meeting in order to conduct the business of the Local Union or Section or the Division.
- SECTION 7.** Except where modified elsewhere in these By-laws, all meetings shall be conducted in accordance with Roberts Rules of Order.
- SECTION 8.** Any member of the Local Executive Board or the Joint Executive Board that is absent from two (2) consecutive general membership meetings, or two (2) consecutive Executive Board Meetings or two

(2) consecutive Joint Executive Board Meetings, such shall be held to have abandoned the position, unless his absence is held by the Local Executive Board to be for good cause.

ARTICLE X

ELECTIONS (Effective 1978)

- SECTION 1.** All Local Officers, Executive Board Members, and Section or Division Officers shall be elected once every three years (commencing with the year 1978).
- SECTION 2.** The President, Financial Secretary-Treasurer, Executive Vice President and Recording Secretary shall be elected by the membership-at-large.
- SECTION 3.** All Section or Division Officers shall be elected by the membership in their particular Section or Division.
- SECTION 4.** No member shall be eligible for nomination or election to any Local Office unless he shall have been in continuous good standing in the Local Union for the period of twelve (12) months immediately preceding nomination, and attended at least fifty percent (50%) of the general membership meetings. In this connection, the procedures of Article XV, Sections 6 and 7 of the International Constitution shall govern.
- SECTION 5.** At the regular monthly membership meeting held in September of every three (3) years (commencing with the year 1978), the Executive Board shall appoint the Election Committee which shall be comprised of five (5) members, none of whom shall be a candidate for any office to be filled in such election.
- SECTION 6.** The Election Committee shall oversee and supervise the Local and Division elections in accordance with the provisions of this Article X of the By-laws. The Election Committee shall meet promptly and adopt rules and regulations governing the nominations and elections and shall report back to a meeting of the Local Executive Board not later than the first week of October of that year.

- SECTION 7.** The Local Executive Board at such meeting shall accept, modify, or amend the rules and regulations as adopted by the Election Committee and such rules and regulation as adopted by the Local Executive Board shall be posted promptly at the Local Union Office and all Union bulletin boards or published in the issue of the official news of the Local Union issued immediately prior to the 31st day of October of that year.
- SECTION 8.** Nominations for any office shall be by petition only.
- SECTION 9.** Each candidate for Local Office shall require at least one hundred (100) signatures of members in good standing on his nominating petition. Each candidate for Section or Division Office shall require at least ten (10) signatures of members in good standing in his particular Section or Division on his nominating petition.
- SECTION 10.** Elections shall be held the first two (2) weeks of December on a day fixed by the Local Executive Board. All elected officers shall be installed on the first meeting following their election.
- SECTION 11.** A simple plurality shall be sufficient for election, in accordance with the International Constitution. (In accordance with Article XV, Section 1 of the TWU International Constitution.)
- SECTION 12.** Write-in votes will not be recognized or counted in any Local or Division elections.
- SECTION 13.** Any disputes arising out of the nominations or elections shall be reported to the Election Committee. The Election Committee shall make a full and complete report on the nominations and elections, and also shall certify the results of the elections, shall set forth a digest of each appeal made to the Election Committee and the disposition thereof and shall report any violations of the rules and regulations governing the nominations and elections to a meeting of the Local Executive Board to be held not more than ten (10) days after the date of the election.
- SECTION 14.** An appeal from the certification by the Election Committee of the result of the election may be made only pursuant to Article XV, Section 7, of

the International Constitution. The decision of the Local Executive Board in such case shall become and remain in effect unless and until the International Union decides otherwise.

SECTION 13. The Local Executive Board shall take such appropriate action as it deems proper upon any violation of the rules and regulations governing the nominations and elections reported by the Election Committee or otherwise made known to the Local Executive Board. The Local Executive Board may, after a proper hearing upon reasonable notice to the member, impose an appropriate penalty upon any member for a violation of the said rules and regulations. The Election Committee shall have the authority to call for any or all records to determine the eligibility of any member to vote.

ARTICLE XI

CONVENTION DELEGATES

SECTION 1. The dates for nominations and elections of delegates to the International Conventions shall be fixed by the Local Executive Board, except only that the election shall be held not less than forty-five (45) days prior to the Convention.

SECTION 2. The method, procedures and rules for the election of delegates (and alternate delegates) to the International Convention shall be the same as those applicable to the election of Local Officers, except that a simple plurality shall be sufficient for election.

ARTICLE XII

COMMITTEES

SECTION 1. The President may appoint from the Executive Board or Division Officers the following committees to assist the Local Officers and report at regular intervals to the Executive Board:

1. COPE
2. Education

3. Newspaper
4. Community Relations
5. Safety, Health and Welfare
6. By-laws
7. Activities
8. Membership
9. Grievance
10. Sick & Benevolence

ARTICLE XIII

GRIEVANCES

- SECTION 1.** The Division or Section Officers shall handle grievances with the division or section.
- SECTION 2.** The grievance shall be received by the Division Chairman who will endeavor to solve it at its source. Failing this, the grievance will be turned over to the Staff Representative. The Staff Representative shall handle the matter from that point on. In the event of further difficulty in settling the grievance, it will be submitted to the Local Officers and if necessary, to the Local Executive Board for action.
- SECTION 3.** A written record shall be kept of all grievances at their disposal at the Division and Staff Representative levels.
- SECTION 4.** No matter may be submitted to arbitration without the prior approval of the Local Executive Board.
- SECTION 5.** When a member of the Union is charged with a crime or other offense and the Executive Board is satisfied that the interests of the Union require it, they shall refer such case to the counsel for the Local Union so that the proper defense will be provided.

ARTICLE XIV

STRIKES AND JOB ACTION

- SECTION 1.** A strike of members of this Local Union shall not be authorized or permitted without the approval of the International Union as provided for under Article XXVI of the International Constitution.
- SECTION 2.** Any work stoppage or other form of job action of members of this Local Union shall not be authorized or permitted without the approval of the Local Executive Board.
- SECTION 3.** While a Memorandum of Understanding is in effect, no officer or member of the Local Union shall approve, promote or participate in, or in any way support, any work stoppage, strike or other form of job action which violates the Local Union's agreement. Violations of this Section shall be punishable as provided below.
- SECTION 4.** Before a strike, work stoppage, or other form of job action is authorized or permitted in any Section or Division, the representative, or other Union Officer in charge of the Section or Division shall have kept the Local President regularly informed of the progress of such representative's efforts to resolve the dispute peacefully.
- SECTION 5.** The representative or other Local Officer assigned to the Section or Division, shall confer with the Local President and bring with him to negotiations with the particular company the Local President or designee, before such representative or officer recommends strike action to the Local Executive Board.
- SECTION 6.** The representative, or other Local Officer in charge of the Section or Division shall make a full and detailed report to the Local Executive Board, which shall thereupon report to the International President before a strike vote is taken.
- SECTION 7.** The Local Executive Board shall conduct a vote, required by Section 1(a) of Article XXVI of the International Constitution, if, in its opinion, strike action is deemed advisable.

SECTION 8. In the event that a majority of the employees voting approve of the proposed strike, then it shall be up to the Local Executive Board, with notice to the International President, to make the final decision as to whether strike action is warranted and, if it is, the effective hour of the strike.

SECTION 9. Should any Local officer, section or division officer, representative, shop steward or other representative, promote, recommend, approve, participate in or in any way support a work stoppage, strike or other form of job action in violation of any of the foregoing rules, he shall:

- (a) Automatically forfeit his office;
- (b) Stand automatically suspended as a member of the Union pending trial;
- (c) Stand trial for such activity, and if found guilty, may be suspended or expelled from membership, or may incur such other punishment as the Local Executive Board shall deem proper.

SECTION 10. Any member engaged in such prohibited activity shall be subject to summary suspension from membership, pending trial by the Local Executive Board and, if found guilty after trial, be subject to the penalties set forth in Section 9(c) above.

ARTICLE XV

OBLIGATION OF MEMBERS

SECTION 1. No member shall bypass the duly elected representative to handle another's grievance.

SECTION 2. No member shall perform his duties on the job in such manner as to place a further burden on his fellow workers, nor shall he disregard any rules adopted by the membership.

SECTION 3. No member shall take up a collection in the name of the Union or Division of the Union, regardless of its purpose, without the prior approval of the Local Executive Board. This shall not apply to

collections taken by or for candidates for Local Office to defray the cost of their campaign.

SECTION 4. No member shall make known the internal affairs of the Union to non-members.

SECTION 5. If any member or group of members wish to direct any matter to the attention of the Local Executive Board, they shall submit such request in writing to the Recording Secretary, who shall submit such request to the Local Executive Board at its next regular meeting.

ARTICLE XVI

GENERAL PROVISIONS

SECTION 1. The approval of the Local Executive Board shall be required before any member is permitted to lose time for the Local Union except that, in and during an emergency, a member may be taken off the job with the oral approval of the President or the Financial Secretary-Treasurer. He shall be compensated only for his actual loss in pay.

SECTION 2. No reimbursement shall be paid for any expense incurred in the name of the Local Union without the approval of the President and the Financial Secretary-Treasurer. Such approval shall be subject to review of the Local Executive Board.

ARTICLE XVII

BY-LAWS AMENDMENTS

SECTION 1. These By-laws may be amended by the Local Executive Board with the approval of the majority of the members of the Local Union voting at a membership meeting, provided seven (7) days advance notice has been given to the Local Executive Board and the membership.

SECTION 2. Proposed amendments may be submitted to the Local Executive Board by the membership acting through a duly called membership meeting, and with the approval of the majority of the members present at the meeting.

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SECTION 3.

Any amendment which would increase the dues or the initiation fee shall require approval by the majority of the members voting by secret ballot.