

CONSTITUTION

of the

International Brotherhood of
**BOILERMAKERS, IRON SHIP BUILDERS,
BLACKSMITHS, FORGERS, AND HELPERS**

Affiliated with the
American Federation of Labor and
Congress of Industrial Organizations (AFL-CIO)



International Headquarters
Brotherhood Building
753 State Avenue
Kansas City, KS 66101

As revised and adopted at the
31ST CONSOLIDATED CONVENTION
held in
Las Vegas, Nevada
July 24-27, 2006



Constitution of the International Brotherhood of
Boilermakers, Iron Ship Builders, Blacksmiths,
Forgers, and Helpers, AFL-CIO

Contents

HISTORICAL1

PREAMBLE5

ARTICLE 1 – OBJECTIVES AND GOVERNMENT7

 1.1 - Name and Composition7

 1.2 - Purposes and Objectives7

 1.3 - Government8

 1.4 - Powers of the International Brotherhood8

 1.5 - Vesting of Powers8

 1.6 - Headquarters8

ARTICLE 2 – CONVENTION8

 2.1 - Place, Time, and Expense8

 2.2 - Delegate Representation9

 2.2.1 - Local Lodge Voting Strength9

 2.2.2 - District Lodge and Industrial Council Representation9

 2.3 - Qualifications of Delegates9

 2.4 - Selection of Delegates10

 2.5 - Credentials11

 2.6 - Transportation and Expenses of Delegates11

 2.7 - Convention Quorum11

 2.8 - Authority of Presiding Officer11

 2.9 - Submission of Resolutions by Subordinate Bodies11

 2.10 - Appointment of Committees and Their Duties12

 2.10.1 - Committees12

 2.10.2 - Pre-Convention Committees12

 2.10.3 - Per Diem Allowance12

 2.11 - Committee Functions12

 2.11.1 - Constitution and Law12

 2.11.2 - Resolutions13

 2.11.3 - Credentials13

 2.11.4 - Rules13

 2.11.5 - Officers Report13

| | |
|--|-----------|
| 2.11.6 - Official Publication | 13 |
| 2.11.7 - Finance | 13 |
| 2.12 - Tenure of Convention Committees | 13 |
| 2.13 - Order of Business of the International Brotherhood Convention | 14 |
| ARTICLE 3 – CONSTITUTION | 14 |
| 3.1 - Constitution - Supreme Law | 14 |
| 3.2 - How Amended | 14 |
| 3.3 - Proposals to Amend | 14 |
| 3.4 - Effective Date | 14 |
| 3.5 - Corrections | 15 |
| ARTICLE 4 – INTERNATIONAL OFFICERS | 15 |
| 4.1 - Designated Officers | 15 |
| 4.2 - Qualifications of Nominees | 15 |
| 4.3 - Territorial Sections | 15 |
| 4.4 - Nominations, Election, and Installation | 16 |
| 4.4.1 - Nominations and Election | 16 |
| 4.4.2 - Installation of Officers | 16 |
| 4.5 - Vacancies - How Filled | 16 |
| 4.6 - Retirement of International Officers | 16 |
| 4.6.1 - Retirement Date | 16 |
| 4.6.2 - Severance Pay | 17 |
| 4.7 - Outside Employment of Union Officers | 17 |
| ARTICLE 5 – EXECUTIVE COUNCIL AND DUTIES | 17 |
| 5.1 - Composition | 17 |
| 5.2 - General Duties of Executive Council | 17 |
| 5.2.1 - Authority to Require Direct Submission of Dues Check-Off | 19 |
| 5.2.2 - Authority to Require Reimbursement of Audit Expenses | 19 |
| 5.3 - Jurisdiction of District and Local Lodges | 19 |
| 5.4 - Consolidation of District and Local Lodges and Offices Thereof | 20 |
| 5.4.1 - Consolidation of Lodges | 20 |
| 5.4.2 - Consolidation of Offices | 20 |
| 5.5 - Issuance of Local Lodge Charters | 20 |
| 5.6 - Minimum Requirements for Maintaining Local Lodge Charters | 21 |
| 5.7 - Grievance Adjustment Procedures | 21 |
| 5.8 - Meetings of Executive Council | 21 |
| ARTICLE 6 – INTERNATIONAL BOARD OF TRUSTEES AND DUTIES | 22 |
| 6.1 - Qualifications and Selection | 22 |
| 6.2 - Authority to Hold Title | 22 |
| 6.3 - Management and Control of Funds | 22 |
| 6.4 - Authority to Purchase and Sell Property | 22 |
| 6.5 - Majority Action Required | 22 |

| | |
|--|-----------|
| 6.6 - Term of Office and Filling Vacancies | 23 |
| 6.7 - Termination of Responsibility | 23 |
| ARTICLE 7 – DUTIES OF THE INTERNATIONAL PRESIDENT | 23 |
| 7.1 - General Duties | 23 |
| 7.1.1 - Principal Executive and Administrative Officer | 23 |
| 7.1.2 - Appointment of Delegates to Special Conventions | 24 |
| 7.2 - Constitutional Interpretations | 25 |
| 7.3 - Salary and Expenses | 25 |
| 7.4 - International Representatives | 25 |
| 7.5 - Direction of Organizational Work and International Representatives | 25 |
| 7.6 - Employment of Official Auditor | 25 |
| 7.7 - Presiding Officer and Convention Report | 26 |
| 7.8 - Financial Assistance | 26 |
| ARTICLE 8 – DUTIES OF INTERNATIONAL VICE PRESIDENTS | 26 |
| 8.1 - General Duties | 26 |
| 8.2 - Salary and Expenses | 26 |
| ARTICLE 9 – DUTIES OF THE INTERNATIONAL SECRETARY-TREASURER | 27 |
| 9.1 - General Duties | 27 |
| 9.2 - Supplies | 27 |
| 9.3 - Keeping of Accounts | 27 |
| 9.4 - Salary and Expenses | 28 |
| 9.5 - Accounting Requirement | 28 |
| ARTICLE 10 – OFFICIAL PUBLICATION | 28 |
| ARTICLE 11 – ESTABLISHED JURISDICTION OF THE TRADE | 28 |
| ARTICLE 12 – REVENUE | 33 |
| 12.1 - Sources | 33 |
| 12.2 - Taxes and Fees | 33 |
| 12.2.1 - Schedule of Taxes and Fees | 33 |
| 12.2.2 - Annual Adjustment | 34 |
| 12.2.3 - Contingency Increase | 34 |
| 12.3 - Payments to International Secretary-Treasurer | 34 |
| ARTICLE 13 – BONDING | 34 |
| 13.1 - Requirement | 34 |
| 13.2 - Amount of Bond | 35 |
| 13.3 - Release from Bond | 35 |
| ARTICLE 14 – DISTRIBUTION OF REVENUE | 35 |
| 14.1 - Distribution | 35 |

| | |
|--|----|
| ARTICLE 15 – DEATH BENEFIT | 35 |
| 15.1 - Coverage | 35 |
| 15.2 - Method of Funding Payments | 36 |
| 15.3 - Definitions | 36 |
| 15.4 - Notice of Death | 36 |
| 15.5 - Beneficiaries | 36 |
| 15.6 - Funeral and Burial Expense | 36 |
| | |
| ARTICLE 16 – STRIKES & STRIKE BENEFITS | 37 |
| 16.1 - Strike Vote | 37 |
| 16.2 - Strike Benefits | 37 |
| 16.3 - Conditions for Payment of Strike Benefits | 38 |
| 16.3.1 - Authorization | 38 |
| 16.3.2 - Subordinate Body Reporting Requirements | 38 |
| 16.3.3 - Investigation by International | 38 |
| 16.3.4 - Eligibility for Benefit | 38 |
| 16.4 - Duties of Lodges Receiving Strike or Victimization Benefits | 39 |
| 16.5 - Termination of Strike Benefits | 40 |
| 16.6 - Lockout or Victimization Benefits | 40 |
| 16.7 - Limitation of Responsibility of International Brotherhood | 41 |
| | |
| ARTICLE 17 – DISCIPLINARY PROCEEDINGS, TRIALS, AND APPEALS | 41 |
| 17.1 - Offenses | 41 |
| 17.2 - Charges and Notice of Trial | 42 |
| 17.2.1 - Charges | 42 |
| 17.2.2 - Notice of Trial | 43 |
| 17.2.3 - Dismissal of Charges | 43 |
| 17.3 - Trial Bodies | 44 |
| 17.3.1 - Local Lodge Jurisdiction | 44 |
| 17.3.2 - Executive Council Jurisdiction | 44 |
| 17.4 - Trial Procedure | 44 |
| 17.4.1 - Conduct of Hearing | 44 |
| 17.4.2 - Minutes of Proceedings | 45 |
| 17.4.3 - Representation and Cross Examination | 45 |
| 17.4.4 - Decision of Trial Body | 45 |
| 17.5 - Penalties | 45 |
| 17.5.1 - Types of Penalties | 45 |
| 17.5.2 - Notification | 46 |
| 17.5.3 - Removal from Premises | 46 |
| 17.6 - Appeals | 46 |
| 17.6.1 - Written Appeal to Executive Council | 46 |
| 17.6.2 - Disposal of Appeal | 46 |
| 17.6.3 - Decisions Involving an International Officer | 46 |

| | |
|---|----|
| ARTICLE 18 – TRUSTEESHIPS | 46 |
| 18.1 - Authority For | 46 |
| 18.2 - Administration of Trusteeship | 47 |
| 18.3 - Emergency Power of the International President | 48 |
| ARTICLE 19 – DIVISIONS AND COUNCILS | 48 |
| 19.1 - Divisions | 48 |
| 19.1.1 - Ship Building and Marine | 49 |
| 19.1.2 - Construction | 49 |
| 19.1.3 - Industrial Plants or Shops | 49 |
| 19.2 - Industry Councils | 49 |
| 19.2.1 - Establishment and Affiliation | 49 |
| 19.2.2 - Council Function | 49 |
| 19.2.3 - Collective Bargaining | 49 |
| 19.3 - Industrial Councils | 50 |
| 19.3.1 - Establishment and Affiliation | 50 |
| 19.3.2 - By-Laws | 50 |
| ARTICLE 20 – CONSTRUCTION DIVISION | 50 |
| 20.1 - Establishment and Function | 50 |
| 20.1.1 - Establishment | 50 |
| 20.1.2 - Function | 50 |
| 20.2 - Administration and Conferences | 51 |
| 20.2.1 - Administration | 51 |
| 20.2.2 - Conferences | 51 |
| 20.3 - Revenue | 51 |
| 20.3.1 - Construction Division Fund | 51 |
| 20.3.2 - Construction Division Field Dues Assessment | 51 |
| 20.3.3 - Lodge/District Field Dues Assessment | 51 |
| 20.3.4 - Combined Minimum Field Dues Assessment | 52 |
| 20.3.5 - Transmission of Field Dues Assessment | 52 |
| 20.3.6 - Minimum Cash Reserve & Annual Adjustment | 52 |
| 20.3.6.1 - Suspension of Field Dues Caps and/or Escalator Formulas | 52 |
| 20.3.6.2 - Minimum Cash Reserve | 52 |
| 20.3.6.3 - Annual Adjustment | 52 |
| 20.3.6.4 - Maximum Dues Increase | 53 |
| 20.3.6.5 - Dues Decreases | 53 |
| 20.3.6.6 - Authority to Change Field Dues Assessment | 53 |
| 20.3.7 - Emergency Field Dues Assessment Authority | 53 |
| 20.3.7.1 - Emergency Field Dues Assessment to Construction Division | 53 |
| 20.3.7.2 - Emergency Field Dues Assessment to Lodge/District | 53 |
| ARTICLE 21 – NATIONAL TRANSIENT DIVISION | 54 |
| 21.1 - Establishment and Function | 54 |
| 21.1.1 - Establishment | 54 |
| 21.1.2 - Function | 54 |

| | |
|---|-----------|
| 21.2 - Administration and Representatives | 54 |
| 21.2.1 - Administration | 54 |
| 21.2.2 - Representatives | 54 |
| 21.3 - Revenue | 54 |
| 21.3.1 - National Transient Division Fund | 54 |
| 21.3.2 - Field Dues Assessment | 54 |
| 21.3.3 - Use of Funds | 55 |
| ARTICLE 22 – RAILROAD DIVISION | 55 |
| 22.1 - Establishment and Function | 55 |
| 22.1.1 - Establishment | 55 |
| 22.1.2 - Function | 55 |
| 22.2 - Administration and Representatives | 55 |
| 22.2.1 - Administration | 55 |
| 22.2.2 - Representatives | 55 |
| 22.3 - Revenue | 55 |
| 22.3.1 - Railroad Division Fund | 55 |
| 22.3.2 - Railroad Division Dues | 56 |
| 22.3.3 - Use of Funds | 56 |
| 22.3.4 - Annual Report | 56 |
| ARTICLE 23 – CEMENT, LIME, GYPSUM, AND ALLIED WORKERS DIVISION | 56 |
| 23.1 - Establishment and Function | 56 |
| 23.1.1 - Establishment | 56 |
| 23.1.2 - Function | 56 |
| 23.2 - Administration, Representatives, and Conferences | 57 |
| 23.2.1 - Administration | 57 |
| 23.2.2 - Representatives | 57 |
| 23.2.3 - Conferences | 57 |
| 23.3 - Revenue | 57 |
| 23.3.1 - Cement, Lime, Gypsum, and Allied Workers Division Fund | 57 |
| 23.3.2 - Dues and Per Capita Tax | 57 |
| 23.3.2.1 - Lodge Minimum Monthly Dues | 57 |
| 23.3.2.2 - Local Lodge Per Capita Tax | 58 |
| 23.3.2.3 - District 11 Dues and Per Capita Tax | 58 |
| 23.3.3 - Use of Funds | 58 |
| ARTICLE 24 – STOVE, FURNACE, ENERGY, AND ALLIED APPLIANCE WORKERS DIVISION | 59 |
| 24.1 - Establishment and Function | 59 |
| 24.1.1 - Establishment | 59 |
| 24.1.2 - Function | 59 |
| 24.2 - Administration, Representatives, and Conferences | 59 |
| 24.2.1 - Administration | 59 |
| 24.2.2 - Representatives | 59 |
| 24.2.3 - Conferences | 59 |

| | |
|--|-----|
| ARTICLE 25 – DISTRICT LODGES | .60 |
| 25.1 - Formation | .60 |
| 25.2 - Charter and Jurisdiction | .60 |
| 25.3 - Purposes | .60 |
| 25.4 - Government and Meetings | .60 |
| 25.4.1 - District Lodges | .60 |
| 25.4.2 - Term of Office - United States | .61 |
| 25.4.3 - Term of Office - Canada | .61 |
| 25.5 - Representation and Establishment of By-Laws | .61 |
| 25.6 - Officers | .62 |
| 25.6.1 - Mandatory Officers | .62 |
| 25.6.2 - Designated Title | .62 |
| 25.7 - Revenue | .62 |
| 25.8 - Reporting | .63 |
| | |
| ARTICLE 26 – LOCAL LODGES | .63 |
| 26.1 - Formation | .63 |
| 26.2 - Local Lodge By-Laws - Duty to Adopt | .63 |
| 26.3 - Procedure for Adoption or Amendment of Local Lodge By-Laws | .63 |
| 26.3.1 - Opening for Amendment | .63 |
| 26.3.2 - Monetary Amendments | .63 |
| 26.3.3 - All Other Amendments | .64 |
| 26.3.3.1 - Appointment of Committees | .64 |
| 26.3.3.2 - Notice of Amendment or Adoption | .64 |
| 26.3.3.3 - Secret Ballot | .64 |
| 26.3.4 - Approval by International President | .64 |
| 26.3.5 - Availability to Membership | .65 |
| 26.4 - Local Lodge Officers and Their Duties | .65 |
| 26.5 - Duties of the President | .65 |
| 26.6 - Duties of the Vice President | .66 |
| 26.7 - Duties of the Secretary-Treasurer | .66 |
| 26.7.1 - General Duties | .66 |
| 26.7.2 - Availability of Records | .67 |
| 26.7.3 - Maintenance of Records | .67 |
| 26.7.4 - Retention of Records | .67 |
| 26.7.5 - Distribution of Campaign Literature | .67 |
| 26.7.6 - Retention of Requests for Distribution of Campaign Literature | .68 |
| 26.8 - Duties of the Recording Secretary | .68 |
| 26.9 - Duties of the Board of Trustees | .68 |
| 26.10 - Duties of the Business Manager | .69 |
| 26.11 - Duties of the Inspector | .69 |
| 26.12 - Local Lodge Executive Boards | .69 |
| 26.13 - Relinquishing Office | .69 |

| | |
|--|----|
| ARTICLE 27 – MEMBERSHIP | 70 |
| 27.1 - Qualifications | 70 |
| 27.2 - Application | 70 |
| 27.3 - Change of Classification | 70 |
| 27.4 - Apprenticeship | 71 |
| 27.5 - Termination of Membership Rights | 71 |
| 27.6 - Modification of Membership Rights | 71 |
| | |
| ARTICLE 28 – NOMINATION AND ELECTION OF LOCAL LODGE OFFICERS | 71 |
| 28.1 - Nominations | 71 |
| 28.2 - Time of Election | 71 |
| 28.3 - Member’s Rights and Notification | 72 |
| 28.4 - Eligibility for Local Lodge Officers | 72 |
| 28.4.1 - Requirements | 72 |
| 28.4.2 - Apprentices and Trainees | 72 |
| 28.4.3 - Transferred Members | 73 |
| 28.4.4 - Acceptance of Nomination | 73 |
| 28.4.5 - Eligibility | 73 |
| 28.5 - Objections | 73 |
| 28.6 - Eligibility to Vote | 74 |
| 28.7 - Conduct of Election | 74 |
| 28.7.1 - Secret Ballot Election | 74 |
| 28.7.2 - Observers | 75 |
| 28.7.3 - Election Committee | 75 |
| 28.7.4 - Certification of Results | 75 |
| 28.8 - Challenges and Objections | 75 |
| 28.8.1 - Challenges | 75 |
| 28.8.2 - Objections | 75 |
| 28.9 - Term of Office | 76 |
| 28.9.1 - United States | 76 |
| 28.9.2 - Canada | 76 |
| 28.10 - Use of Lodge Funds in Election | 76 |
| 28.11 - Distribution of Campaign Literature | 76 |
| 28.12 - Preservation of Election Records | 77 |
| 28.13 - Installation of Officers | 77 |
| 28.14 - Absence from Meetings | 77 |
| 28.15 - Equal Rights | 77 |
| 28.16 - Filling of Vacancies | 77 |
| | |
| ARTICLE 29 – SHOP COMMITTEE’S AND SHOP STEWARD’S DUTIES AND AUTHORITY | 78 |
| 29.1 - Appointment | 78 |
| 29.2 - Function and Responsibility | 78 |
| 29.2.1 - Function | 78 |
| 29.2.2 - Responsibility | 78 |

| | |
|---|----|
| ARTICLE 30 – MEETINGS OF LOCAL LODGES | 78 |
| 30.1 - Time | 78 |
| 30.2 - Membership Rights | 78 |
| 30.2.1 - Members in Good Standing and Exceptions | 78 |
| 30.2.1.1 - Supervisors | 79 |
| 30.2.1.2 - Employed Outside the Trade | 79 |
| 30.2.1.3 - Retirees | 79 |
| 30.2.1.4 - Visiting Members | 79 |
| 30.2.2 - International Officers and Representatives | 79 |
| 30.3 - Constitutional Quorum | 79 |
| 30.4 - Visiting Members Identification | 80 |
| 30.5 - Limitation on Speaking | 80 |
| | |
| ARTICLE 31 – INITIATION FEES AND DUES | 80 |
| 31.1 - Initiation Fees | 80 |
| 31.1.1 - Limitations | 80 |
| 31.1.2 - Special Dispensations | 80 |
| 31.1.3 - Reciprocal Agreements | 80 |
| 31.1.4 - Difference in Initiation Fees | 81 |
| 31.1.5 - Deviations | 81 |
| 31.2 - Dues | 81 |
| 31.2.1 - When Payable | 81 |
| 31.2.2 - Annual Increases | 81 |
| 31.2.3 - Eligibility for Financial Assistance | 81 |
| 31.2.4 - Deviations | 81 |
| 31.3 - Service Charges | 82 |
| 31.3.1 - Permit Fees Prohibited | 82 |
| 31.3.2 - Non-Member Per Capita Tax | 82 |
| 31.4 - Sick and Disabled Members | 82 |
| 31.4.1 - Eligibility | 82 |
| 31.4.2 - Invalidation | 82 |
| | |
| ARTICLE 32 – SUSPENSION AND REINSTATEMENTS | 82 |
| 32.1 - Suspension for Non-Payments | 82 |
| 32.2 - Reinstatement of Members Suspended for Non-Payments | 83 |
| 32.3 - Reinstatement of Expelled or Other Suspended Members | 83 |
| | |
| ARTICLE 33 – TRAVELING CARDS | 84 |
| 33.1 - Issuance of Traveling Cards | 84 |
| 33.2 - Deposit of Traveling Cards | 84 |
| 33.3 - Return of Traveling Card | 84 |
| 33.4 - Maintenance of Membership | 85 |
| 33.5 - Reciprocal Agreements | 85 |
| | |
| ARTICLE 34 – TRANSFER OF MEMBERSHIP | 85 |
| 34.1 - Requirements | 85 |

| | |
|---|------------|
| 34.1.1 - Application for Transfer of Membership | .85 |
| 34.1.2 - Automatic Acceptance of Application | .85 |
| 34.1.3 - Required Transfer | .85 |
| 34.1.4 - Eligibility for Transfer Card | .86 |
| 34.2 - Notification of International Secretary-Treasurer | .86 |
| ARTICLE 35 – WITHDRAWAL, SERVICE, AND RETIREMENT CARDS | .86 |
| 35.1 - Issuance of Withdrawal Cards | .86 |
| 35.2 - Deposit of Withdrawal Cards | .87 |
| 35.2.1 - Deposit/Revocation of Withdrawal Card | .87 |
| 35.2.2 - Monies Payable Upon Deposit of Withdrawal Card | .87 |
| 35.2.3 - Per Capita Remittal to International Secretary-Treasurer | .87 |
| 35.2.4 - Dues Receipt | .87 |
| 35.3 - Issuance of Service Cards | .87 |
| 35.4 - Deposit of Service Cards | .88 |
| 35.5 - Retired Member’s Card | .88 |
| ARTICLE 36 – SALARY ADJUSTMENTS | .88 |
| ARTICLE 37 – MISCELLANEOUS | .89 |
| 37.1 - Use of Funds | .89 |
| 37.2 - Title to Funds and Property | .89 |
| 37.3 - Filing of Agreements | .89 |
| 37.4 - Recognition of Membership | .90 |
| 37.5 - Affiliation Requirements | .90 |
| 37.6 - Use of Official Stationery | .90 |
| 37.7 - Litigation Responsibility | .90 |
| 37.7.1 - Subordinate Body | .90 |
| 37.7.2 - International Union | .90 |
| 37.8 - Ritual | .90 |
| 37.9 - Agency for Service of Process | .91 |
| 37.10 - Duty to Pay Financial Obligations | .91 |
| 37.11 - Religious Discussions | .91 |
| 37.12 - Rules of Order | .91 |
| 37.13 - Savings Clause | .91 |

HISTORICAL

The International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers, and Helpers was born on September 1, 1893. On that day, at a meeting in Chicago, representatives from the International Brotherhood of Boiler Makers and Iron Shipbuilders, which had been organized on October 1, 1880, and the National Brotherhood of Boiler Makers, which had been formed in Atlanta in May of 1888, resolved to consolidate their organizations. It was decided that William Lee Andrew Johnson, who had served as President of the National Brotherhood, and William J. Gilthorpe, who had been Secretary-Treasurer of the International Brotherhood, would retain these positions in the new organization, and that International Brotherhood President Andrew Kier and National Brotherhood Secretary-Treasurer Raymond Garcia would step aside. It was further agreed that the new organization, to be known as the Brotherhood of Boiler Makers and Iron Shipbuilders of America, would make its headquarters in Kansas City, Kansas.

Two-and-one-half years later, on June 9, 1896, the Brotherhood affiliated with the American Federation of Labor.

In subsequent years, the Brotherhood continued to grow, and in 1902, under the guidance of President John McNeil, who had succeeded President Johnson after his retirement in May 1897, the Helpers Division was formed. Because helpers were barred from sitting in the lodge room with mechanics, this new division had its own local unions and was entirely separate from the Boiler Makers. This would change a decade later when the Helpers Division would be consolidated with the Mechanics Division.

In March 1906, at a special Convention in Kansas City overseen by President George F. Dunn, who had replaced President McNeil in February 1905, the name of the union was changed to the International Brotherhood of Boilermakers, Iron Shipbuilders, and Helpers of America in order to incorporate the newest division. Also at this time, the term "Boiler Makers" was condensed into one word: Boilermakers.

At the 8th Consolidated Convention, held in St. Paul in 1908, three major decisions were made. First, the Helpers Division was granted International vice-presidential representation with the election of John H. Dohney of the Western Division and John F. Schmitt of the Eastern Division. Second, N. W. Quesnel was elected to serve as the first Canadian International Vice President. Finally, with his election, Joseph A. Franklin began his long, and at times tumultuous tenure as International President. With the exception of a ten-month period — from November 20, 1929, when he was relieved of his duties by the Executive Council and replaced by Assistant International President William Atkinson, to September 1930, when he was re-elected by the delegates at the 15th Consolidated Convention — J. A. Franklin held the position of International President until his 1944 retirement at the 17th Consolidated Convention.

During his presidency, Franklin oversaw many changes in the organization.

He served with five different Secretary-Treasurers including William J. Gilthorpe, who retired in 1914 with over 19 years of service, Frank Reinmeyer (1914-1920), Joseph Flynn (1920-1926), Charles F. Scott (1926-1936), and William E. Walters (1936-1945). In addition, President Franklin affiliated the Boilermakers with the National Building Trades Department of the American Federation of Labor in February 1931. Most impressive, though, is the tremendous membership growth that occurred during Franklin's presidency. At the turn of the century, total membership stood at about 8,500, but by Franklin's retirement, due in part to dramatic increases in the shipbuilding, railroad, and fabrication shop industries during World War II, the Boilermakers numbered over 350,000.

After Franklin's retirement in 1944, Charles MacGowan was elected to serve as International President by the delegates of the 17th Consolidated Convention. About a year later in 1945, International Secretary-Treasurer Walters passed away and the Executive Council elected William J. Buckley to the office.

Under the direction of these two men, the Boilermakers continued to progress. On January 22, 1948, construction of the New Brotherhood Building began, and in September 1949, International headquarters moved to its current location — the fifth floor of the new building.

Five years later, International President MacGowan and International Secretary-Treasurer Buckley presided over the Boilermakers' 19th Convention in Minneapolis, which merged their organization with the International Brotherhood of Blacksmiths, Drop Forgers, and Helpers. The International Brotherhood of Blacksmiths was organized in 1889, and added Helpers to both their membership and their name in 1901. A 1919 merger with the Brotherhood of Drop Forgers created the union that, on June 29, 1953, merged with the Boilermakers to form the International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers, and Helpers. A year later, a new International seal was adopted to include all crafts.

In 1954, International President MacGowan retired and the International Executive Council elected William Calvin as his replacement. President Calvin served until his death on January 27, 1962, whereupon International Vice President Russell K. Berg was elected by the International Executive Council to succeed him.

During President Calvin's term, several important services were created by the Boilermakers union: the Boilermaker National Health and Welfare Fund (Oct. 1, 1954); the Boilermakers National Joint Apprenticeship Fund (Nov. 9, 1959); and the Boilermaker-Blacksmith National Pension Trust (Oct. 1, 1960).

In 1958, International Secretary-Treasurer Buckley died and the Executive Council elected International Vice President Homer E. Patton as the new International Secretary-Treasurer.

At the 24th Consolidated Convention in August 1973, International President Harold J. Buoy, who had been promoted from his position of Special Assistant to

the International President upon the retirement of R. K. Berg in 1970, and International Secretary-Treasurer Charles F. Moran, who had replaced Homer Patton after his retirement on March 31, 1973, were each elected to a four-year term.

At the 25th Consolidated Convention in Vancouver, British Columbia, an International Executive Council Sub-Committee, led by Southeast International Vice President Charles W. Jones, proposed the establishment of a Construction Division at International headquarters to service members with employment in or related to the construction industry. After extensive debate, delegates to this 1977 convention voted by majority action to establish a Construction Division at International headquarters.

In 1983, Harold Buoy retired and International Vice President Charles W. Jones was elected International President by the Executive Council.

The next year, on March 15, 1984, the delegates to the Special Merger Convention of the United Cement, Lime, Gypsum, and Allied Workers International Union (CLGAW) voted to merge with the International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers, and Helpers. The merger of the CLGAW, and its 10,000 members who dominate the building products and supplies industry, with the Boilermakers union, forged an organization with a greater ability to provide services to its members, and set the stage for the next Boilermaker convention.

Almost two-and-one-half years later, in August 1986, delegates met at the 27th Consolidated Convention in Hollywood, Florida. After spirited debate and internal division, International President Jones and International Secretary-Treasurer Don Whan, a Canadian International Vice President who had been chosen to succeed International Secretary-Treasurer Moran after his retirement earlier in the year, were re-elected to their respective positions.

After the 27th Convention, political and ideological differences within the organization calmed, though those who lost their bid for higher office and control of the union did lure a few thousand members into an independent group called the Independent Workers of North America. This outfit, headed by the former president of the CLGAW and a former Boilermaker Vice President, ultimately failed, and the members were absorbed by the Papermakers, an AFL-CIO affiliate.

Five years after the 27th Consolidated Convention, political wounds had healed and the Boilermakers were once again a unified body. The 28th Consolidated Convention was held in Las Vegas, Nevada, in August 1991. International President Charles W. Jones and International Secretary-Treasurer Jerry Z. Willburn, a director of the National Transient Division who had been elected to succeed International Secretary-Treasurer Whan after his retirement on April 1, 1989, were unanimously re-elected along with the entire International Executive Council.

Having completed the 28th Consolidated Convention as a unified Brotherhood, International President Charles W. Jones began to seek out com-

patible merger partners. In July 1993, contact was made with the Stove, Furnace, and Allied Appliance Workers International Union — a skilled trade union that was organized in 1891. Discussions ensued and a merger of the two Brotherhoods was consummated October 1, 1994. The Stove Workers, with 5,800 members, became a division of the International Brotherhood known as the Stove, Furnace, Energy, and Allied Appliance Workers Division. The word energy was added to give special recognition to the coal miners within that division. The division's members are employed primarily in the manufacturing of stoves and various types of appliances.

Merger talks were also being carried out with an independent union known as the Western Energy Workers. This one-local union, formed in 1978 with members employed in the coal strip pits, signed a merger agreement with the Boilermakers effective December 1, 1994.

In August 1996, the 29th Consolidated Convention was held in Las Vegas, Nevada. International President Charles W. Jones and International Secretary-Treasurer Jerry Willburn were unanimously re-elected. All members of the International Executive Council were also re-elected.

Shortly thereafter, ongoing merger discussions culminated in an agreement with the Metal Polishers, Buffers, Platers, and Allied Workers International Union. This union was also an old line, skill trade union that was organized in 1892. Effective October 12, 1996, this merger brought 4,000 new members, who are employed primarily in plating and polishing shops within the United States and Canada.

Upon his retirement in 2003, International President Charles W. Jones was succeeded by Newton B. Jones. Upon his retirement in 2005, International Secretary-Treasurer Jerry Z. Willburn was succeeded by William T. Creeden.

PREAMBLE

In a representative democracy the economic guarantee of liberty, the natural right of those who toil to enjoy with their families the products of their labor, is uniquely essential to the welfare of a people.

In an organic unity, social justice demands recognition of this inalienable right. An organization that draws workers together, affording mutual assistance in securing just wages, reasonable hours and favorable conditions of employment, requires recognition of this natural propensity of man to live in society; cooperation, friendliness, and good understanding demand the forthright acceptance of duties among workers and mutual responsibilities between them and their employers.

Therefore, in furtherance of the ultimate purpose of social justice, cooperation, and good understanding and in order to assist our fellow craftsmen to continue their advancement, we have organized this International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers, and Helpers, and have adopted this body of law as its International Constitution.

ARTICLE 1

OBJECTIVES AND GOVERNMENT

1.1 – Name and Composition

1 The name of this organization shall be the International Brotherhood of
2 Boilermakers, Iron Ship Builders, Blacksmiths, Forgers, and Helpers,
3 which shall be composed of the International Brotherhood, including
4 District Lodges, Local Lodges, and Industrial Councils, together with all
5 other subordinate bodies properly chartered by the International
6 Brotherhood. The International Executive Council may alter or amend the
7 name of this organization at any time to facilitate a merger with another
8 compatible union. This International Brotherhood shall not be dissolved
9 while there are seven (7) Local Lodges in good standing.

1.2 – Purposes and Objectives

1 This organization is founded on the principle that in a democracy, good
2 unionism is good citizenship. The purposes of this International
3 Brotherhood are to implement the exercise of the natural right of workers to
4 organize that they may more securely work with dignity; to establish the
5 contentment of freedom and security; to enable its members to participate
6 actively in self-government; to unite into one International Brotherhood all
7 workers eligible for membership, regardless of religion, race, creed, color,
8 national origin, age, or sex; to secure improved wages, hours, working con-
9 ditions, and other economic advantages for the members through collective
10 bargaining, through advancement of our standing in the community and in
11 the labor movement, and through other lawful methods; to provide educa-
12 tional advancement and training for officers, employees, and members; to
13 safeguard and promote the principle of free collective bargaining, the rights
14 of workers, farmers, and consumers, and the security and welfare of all the
15 people by political, educational, and other community activity; to protect
16 and strengthen our democratic institutions and preserve and perpetuate the
17 cherished traditions of democracy; to protect and preserve the union as an
18 institution and in the performance of its legal and contractual obligations.

19 It is recognized that the problems with which this International
20 Brotherhood is accustomed to deal are not limited to organization and col-
21 lective bargaining alone, but encompass a broad spectrum of economic
22 and social objectives as set forth above and as the union may determine
23 from time to time; we, therefore, determine and assert that the participa-
24 tion of this International Brotherhood, individually and with other organ-
25 izations, in the pursuit and attainment of the objectives set forth herein are
26 for the sole benefit of the organization and its members.

27 This International Brotherhood will strive through collective bargain-
28 ing for immediate objectives, such as reasonable standard of working con-
29 ditions and hours, just compensation for work done, and an annual fami-
30 ly living wage commensurate with our modern society. We seek the coop-

31 eration of other progressive, constructive, and intelligent combinations of
32 workers for the attainment of these ends.

33 Thus, by our mutual efforts, and with due regard for the rights of
34 employers and concern for the public interest, there will accrue to the
35 members of this International Brotherhood and those similarly situated,
36 increased benefits and sufficient leisure time to pursue civic, cultural,
37 spiritual, and other beneficial activities.

1.3 – Government

1 The International Brotherhood, when assembled in Convention, shall
2 be the highest tribunal of this International Brotherhood and shall have
3 full jurisdiction over the International Brotherhood and all District and
4 Local Lodges and other subordinate bodies.

1.4 – Powers of the International Brotherhood

1 The powers of this International Brotherhood while in Convention
2 session shall be legislative, executive, and judicial.

1.5 – Vesting of Powers

1 When the International Brotherhood is not in Convention session, its
2 executive and judicial powers only shall be vested in an International
3 Executive Council, hereinafter called the “Executive Council.”

1.6 – Headquarters

1 The permanent headquarters of the International Brotherhood shall be
2 in Kansas, except that the International President and the Executive
3 Council are authorized and empowered, if they deem such action neces-
4 sary and to the best interests of the International Brotherhood, to transfer
5 the permanent headquarters of the International Brotherhood.

ARTICLE 2

CONVENTION

2.1 – Place, Time, and Expense

1 The next Convention of this International Brotherhood shall be held
2 in 2011, at a time and in a city to be determined by the Executive
3 Council. The defraying of all legitimate operating expenses, transporta-
4 tion expenses, Convention allowances and expenses, including, but not
5 limited to, Convention gifts and mementos; social functions and
6 Convention banquets, luncheons, and receptions; and entertainment of
7 delegates, delegates’ family members, and invited guests of the
8 Convention, shall be borne by the General Fund, and the arrangements
9 therefor shall be made by the Executive Council. Should the General
10 Fund be inadequate to defray all Convention expenses, such shall con-
11 tinue to be paid from other International union funds as determined by
12 the International President and approved by the Executive Council.

2.2 – Delegate Representation

2.2.1 – Local Lodge Voting Strength

1 Total number of votes each Local Lodge of the International
2 Brotherhood will be eligible to cast shall be on the following basis: one (1)
3 vote for each member in good standing. Any one delegate may cast the full
4 vote of that delegate’s Local Lodge. Not more than seven (7) delegates shall
5 be seated from any Local Lodge. The number of votes allotted to each Local
6 Lodge shall be on the basis of the membership as shown to be in good
7 standing as of the March report preceding the Convention, and no delegate
8 shall be seated unless such report has been filed with the International
9 Secretary-Treasurer on or before May 31st of such Convention year. There
10 shall be no deviation from the foregoing stated months without prior
11 approval of the Executive Council. Only Lodges instituted prior to June 1
12 preceding the Convention, shall be entitled to representation. Any delegate
13 whose Lodge is two (2) full months in arrears for Per Capita Tax, or other
14 charges, shall not be seated in the Convention.

2.2.2 – District Lodge and Industrial Council Representation

15 Representation from District Lodges and Industrial Councils of the
16 International Brotherhood shall be on the following basis: The District
17 and Council officers designated herein shall attend the International
18 Brotherhood Convention with expenses paid in accordance with Article
19 2.6: Marine District Lodges — Executive Secretary or elected alternate;
20 other District Lodges — District Representative (or equivalent) or elected
21 alternate; Industrial Councils — Industrial Council Representative or
22 elected alternate. They shall have voice and one (1) vote each in the pro-
23 ceedings of the Convention except that they shall not be entitled to vote
24 in the election of International Officers. Each District Lodge and
25 Industrial Council shall be entitled to elect up to six (6) additional dele-
26 gates. Such additional delegates shall be seated with all rights of other
27 delegates, but in no event shall the District Lodge or Industrial Council
28 be entitled to more than one (1) vote.

2.3 – Qualifications of Delegates

1 To be eligible for nomination and election as a delegate to the
2 International Convention, a member shall be:

3 **2.3.1.** Actively working under the jurisdiction of the International
4 Brotherhood or actively seeking and available for work under the juris-
5 diction of the International Brotherhood for at least twelve (12) months
6 immediately prior to nomination date, or a full-time salaried officer or rep-
7 resentative of the International Brotherhood or of a subordinate body
8 thereof, or of the AFL-CIO or any department thereof, or is on authorized
9 leave of absence from any such position;

10 **2.3.2.** Free from delinquency of every nature to the International Brotherhood;

11 2.3.3. In continuous good standing in the International Brotherhood and
12 the Local Lodge from which the member is elected a delegate for a period
13 of at least two (2) years immediately prior to the time of nomination, except-
14 ing at date of nominations in Lodges chartered less than two (2) years there
15 shall be no length of membership eligibility requirements, except as provid-
16 ed in Article 2.2.1; members of consolidated Lodges and members directed
17 by the International President to transfer their membership;

18 2.3.4. Shall have attended regular meetings of the Lodge as required
19 by approved Local Lodge By-Laws to establish eligibility, and;

20 2.3.5. Who is not disqualified under Article 28.4.5.

21 There shall be no deviation from the foregoing qualifications of dele-
22 gates without prior approval of the International President.

2.4 – Selection of Delegates

1 The Local Lodge delegates to the International Convention shall be
2 elected by secret ballot, unless chosen as delegates by virtue of their office,
3 as provided in this Constitution or in approved By-Laws. Nominations of
4 such delegates shall be held in the month of March and elections shall be
5 held in the month of April at a regular or special meeting, unless otherwise
6 approved by the International President. The procedure for nominations
7 and election of delegates shall be in accordance with procedures for nom-
8 inations and election of Local Lodge officers as set forth in Article 28.
9 Those nominees for delegate who fail to receive a sufficient number of
10 votes to be named delegate shall be designated as alternates, in the order
11 of number of votes received, to serve in case of death, illness, resignation,
12 or removal of the regularly-elected delegate.

13 Notice of the date, time, and place of nominations shall be mailed to
14 each member in good standing to the member's last-known home address
15 at least fifteen (15) days prior to such date; and notice of the date, time, and
16 place of election shall be mailed to each member in good standing to the
17 member's last-known home address at least thirty (30) days prior to such
18 date; provided, however, that such notices may be combined in one notice.
19 The foregoing provisions of this section shall not apply in the case of
20 District Lodge and Industrial Council delegates selected pursuant to the
21 provisions of Article 2.2.2. An International Officer by virtue of office shall
22 be seated as a delegate-at-large with voice and one (1) vote in the pro-
23 ceedings of the International Convention. International Representatives
24 who are not elected delegates from the Local Lodge in which they hold
25 membership, or a retired International Officer, or a full-time officer or rep-
26 resentative of the AFL-CIO or any department thereof shall, with the
27 approval of the International President, be seated as delegates-at-large
28 with all rights of other delegates except the right to vote.

2.5 – Credentials

1 The International Secretary-Treasurer shall send credentials to all eli-
2 gible Lodges in good standing not less than seventy (70) nor more than
3 one hundred twenty (120) days prior to the convening of the Convention.
4 Credentials must be returned to the International Secretary-Treasurer no
5 later than thirty (30) days prior to the date of the convening of the
6 Convention.

2.6 – Transportation and Expenses of Delegates

1 One (1) delegate from each Lodge in attendance at the International
2 Brotherhood Convention shall be reimbursed for transportation costs on
3 the basis of the lowest-available coach class, plane fare that can be
4 obtained by the most direct air route between the location of the Local
5 Lodge and the International Convention city, five (5) nights lodging up to
6 a maximum rate of One Hundred Twenty-Five Dollars and Thirty-Five
7 Cents (\$125.35) per night (receipts required for plane fare and hotel), and
8 Two Hundred Dollars (\$200.00) per day allowance to be paid by the
9 International Secretary-Treasurer from the General Fund. Said allowance
10 shall apply for the number of days the Convention is in session and the
11 two (2) days prior to the date of the convening of the Convention and the
12 two (2) days following the date of adjournment of the Convention. The
13 per day allowance set forth herein shall be payable for the 31st Consoli-
14 dated Convention.

2.7 – Convention Quorum

1 A majority of the combined number of all Local Lodges, District
2 Lodges, and Industrial Councils represented at any Convention shall
3 constitute a Convention quorum to transact business. Issues other than
4 election of International Officers shall be resolved by majority vote of
5 those delegates present and voting by voice vote, standing vote, or roll-
6 call vote based on voting strength if such roll-call vote is requested by a
7 majority of the delegates present.

2.8 – Authority of Presiding Officer

1 The International President shall preside at all Conventions of the
2 International Brotherhood, preserve order, and enforce the laws thereof.
3 The International President shall decide all questions of order and all con-
4 stitutional questions, subject to appeal to the Convention.

2.9 – Submission of Resolutions by Subordinate Bodies

1 The International Secretary-Treasurer shall notify the subordinate bod-
2 ies to submit to the International President all proposed amendments to

3 the International Brotherhood Constitution, in duplicate, not later than
4 thirty (30) days prior to the opening of the Convention. All other resolu-
5 tions having to do with the establishment or declaration of policy of the
6 International Brotherhood shall be submitted to the International
7 President, in duplicate, at least thirty (30) days prior to the opening of the
8 Convention. All resolutions shall bear the seal of the subordinate body
9 and be attested to by the President and Secretary-Treasurer thereof. The
10 International President shall refer all resolutions to the appropriate
11 Committees. Any resolution received subsequent to the above time lim-
12 its shall be referred by the International President to the appropriate
13 Committee, which may take such action on such resolution as it sees fit.
14 Nothing in the foregoing shall operate to abridge the right of a delegate
15 to propose an amendment to any pending matter before the Convention.

2.10 – Appointment of Committees and Their Duties

2.10.1 – Committees

1 The International President shall appoint the following Committees, to
2 consist of not less than five (5) members each: Committee on Constitution
3 and Law, Committee on Resolutions, Committee on Credentials,
4 Committee on Rules, Committee on Officers’ Report, Committee on
5 Official Publication, Committee on Finance, and other Committees on
6 Convention business.

2.10.2 – Pre-Convention Committees

7 Prior to the convening of a Convention, the International President
8 shall appoint the Committee on Constitution and Law, the Committee on
9 Credentials, and the Committee on Resolutions, to be chosen from the dif-
10 ferent sections under the jurisdiction of the International Brotherhood
11 from among the delegates elected to the Convention. These Committees
12 shall meet upon the call of the International President prior to the con-
13 vening of the Convention and shall be ready to report to the Convention,
14 in written form, on all matters under their respective jurisdiction, as soon
15 as the Convention is organized.

2.10.3 – Per Diem Allowance

16 Members of any Committee serving before or after the Convention
17 may for such period receive daily allowances in equal amounts as deter-
18 mined by the International President.

2.11 – Committee Functions

2.11.1 – Constitution and Law

1 The Committee on Constitution and Law shall take charge of and con-

2 sider all resolutions and reports which propose to change, alter, or revise
3 the International Brotherhood Constitution. The Committee shall report
4 to the Convention such proposed amendments or resolutions referred to
5 it with recommendations, together with such other amendments as it
6 may deem proper.

2.11.2 – Resolutions

7 The Committee on Resolutions shall take charge of and consider all
8 resolutions, other than law and constitutional changes, referred to it and
9 report the same to the Convention, with recommendations.

2.11.3 – Credentials

10 The Committee on Credentials shall examine and report upon the cre-
11 dentials of all delegates to the Convention.

2.11.4 – Rules

12 The Committee on Rules shall, with this Constitution and Robert’s
13 Rules of Order as its guide, recommend to the Convention such rules for
14 the government of the Convention while in session as it may deem just
15 and proper.

2.11.5 – Officers Report

16 The Committee on Officers Report shall examine the International
17 Officers Report to the Convention and make such recommendations to
18 the Convention as in its judgment may be to the best interest of the
19 International Brotherhood.

2.11.6 – Official Publication

20 The Committee on Official Publication shall make such recommenda-
21 tions to the Convention regarding the official publication as in its judg-
22 ment may be to the best interest of the International Brotherhood.

2.11.7 – Finance

23 The Committee on Finance shall after examination, and if found cor-
24 rect, approve the expenses and allowances of the Convention delegates
25 entitled to receive same.

2.12 – Tenure of Convention Committees

1 The duties of the foregoing Committees shall expire with the completion
2 of their reports, except for the Constitution and Law Committee, the com-
3 pletion of whose business shall be left for the Convention to determine.

**2.13 – Order of Business of the
International Brotherhood Convention**

- 1 First – Calling of the Convention to order by the International President.
- 2 Second – Report of Committee on Credentials.
- 3 Third – Appointment of Convention Committees.
- 4 Fourth – Report of Committee on Rules.
- 5 Fifth – Report of International Officers.
- 6 Sixth – Presentation and distribution of resolutions and constitution-
7 al amendments.
- 8 Seventh – Report of Committees: (a) Resolutions; (b) Constitution and
9 Law; (c) Official Publication; (d) Officers Report; (e) Finance; (f)
10 other Committees on Convention business.
- 11 Eighth – Nominations and election of International Officers.
- 12 Ninth – Unfinished business.
- 13 Tenth – New business.
- 14 Eleventh – Closing.
- 15 The Convention, acting upon a report of the Rules Committee, may
16 change the order of business.

**ARTICLE 3
CONSTITUTION**

3.1 – Constitution – Supreme Law

- 1 This Constitution constitutes the supreme law of the International
2 Brotherhood and supersedes any provision in the By-Laws of any subor-
3 dinate body which is inconsistent with it.

3.2 – How Amended

- 1 Amendments to this Constitution shall be by a majority vote of the
2 accredited delegates present and voting their voting strength at any
3 Convention of the International Brotherhood.

3.3 – Proposals to Amend

- 1 Proposals to amend this Constitution may be submitted by any subor-
2 dinate body by resolution, as provided in Article 2.9. The International
3 President, the Executive Council, or the Committee on Constitution and
4 Law may submit proposals to amend the Constitution at any time up to,
5 but not including the last day of the Convention.

3.4 – Effective Date

- 1 Any amendment adopted at a Convention shall become effective upon
2 final adjournment of the Convention at which adopted, unless otherwise
3 provided in the amendment.

3.5 – Corrections

1 The Executive Council shall have the authority, following Convention
2 adoption of amendments to this Constitution, but prior to printing there-
3 of, to make such corrections, typographical, grammatical, punctuational
4 or otherwise, including titling, the supplying or remedying of inadver-
5 tent omissions or errors, as are necessary to carry out the spirit and intent
6 of any amendment so adopted.

ARTICLE 4

INTERNATIONAL OFFICERS

4.1 – Designated Officers

1 Except as otherwise provided in Article 5.2, the International Officers
2 shall consist of an International President, International Secretary-
3 Treasurer, and nine (9) International Vice Presidents: two (2) who shall
4 come from Canada, and two (2) International Vice Presidents-at-Large —
5 one (1) who shall come from the affiliated Lodges of the Cement, Lime,
6 Gypsum, and Allied Workers Division, and one (1) who shall come from
7 the affiliated Lodges of the Stove, Furnace, Energy, and Allied Appliance
8 Workers Division.

4.2 – Qualifications of Nominees

1 The officers of the International Brotherhood shall be nominated and
2 elected only from among the International Officers and Delegates in atten-
3 dance at the Convention. Candidates nominated must be present to accept
4 the nomination unless prevented by official union duties, sickness, or some
5 other unavoidable circumstances, provided that in the case of any such
6 absence, the candidate desiring to be nominated shall notify the Convention
7 presiding officer in writing that the candidate will accept if nominated.

4.3 – Territorial Sections

1 In order to promote the well-being of the International Brotherhood of
2 Boilermakers, Iron Ship Builders, Blacksmiths, Forgers, and Helpers, and
3 to better service the subordinate bodies, the territory under the jurisdic-
4 tion of the International Brotherhood shall be divided into territorial sec-
5 tions, except as otherwise provided in Article 5.2, as follows:

6 Western States Section: States of Alaska, Arizona, California, Colorado,
7 Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah,
8 Washington, Wyoming, and the Islands of the Pacific.

9 Great Lakes Section: States of Illinois, Indiana, Michigan, Minnesota,
10 North Dakota, Ohio, South Dakota, and Wisconsin.

11 Central Section: States of Iowa, Kansas, Missouri, Nebraska,

12 Oklahoma, and Texas.
13 Northeast Section: States of Connecticut, Delaware, Maine, Maryland,
14 Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania,
15 Rhode Island, Vermont, Virginia, West Virginia, and the District of
16 Columbia.
17 Southeast Section: States of Alabama, Arkansas, Florida, Georgia,
18 Kentucky, Louisiana, Mississippi, North Carolina, South Carolina,
19 Tennessee, Puerto Rico, Isthmus of Panama, and the U.S. Virgin Islands.
20 Eastern Canadian Section: Thunder Bay East and all territory east.
21 Western Canadian Section: Thunder Bay West and all territory west.
22 One member from each of the foregoing sections, who maintains
23 membership therein, shall be elected by the Convention as International
24 Vice President from such section. The International President and
25 International Secretary-Treasurer may maintain membership in any area
26 within the jurisdiction of the International Brotherhood.

4.4 – Nominations, Election, and Installation

4.4.1 – Nominations and Election

1 The International Officers shall be nominated and elected by the dele-
2 gates assembled at the regular Convention. In the case of a contest in any
3 International Office, the officer in question shall be elected by roll-call
4 vote of the accredited delegates present and voting their voting strength
5 as provided for in Article 2.2, the candidate receiving the highest vote to
6 be elected.

4.4.2 – Installation of Officers

7 International Officers shall be installed and assume office on the last
8 day of the Convention.

4.5 – Vacancies – How Filled

1 Except as otherwise provided in Article 5.2, the International President
2 is empowered to fill by appointment all vacancies in International Office
3 occasioned by death, resignation, or otherwise, when approved by major-
4 ity vote of the Executive Council, until the next succeeding International
5 Brotherhood Convention; in the event of a vacancy in the office of
6 International President such vacancy shall be filled for the balance of the
7 term by majority vote of the Executive Council.

4.6 – Retirement of International Officers

4.6.1 – Retirement Date

1 There shall be no automatic retirement date for International or
2 Local Union Officers.

4.6.2 – Severance Pay

3 When an International Officer retires or dies while in office, the Officer
4 or Officer’s beneficiaries shall be entitled to receive as severance pay the
5 equivalent of three (3) months’ salary or one (1) week’s salary for each year
6 of full-time service, whichever is greater, except that such amount shall not
7 exceed the equivalent of six (6) months’ salary.

4.7 – Outside Employment of Union Officers

1 Any full-time salaried officer or appointed representative of the
2 International Brotherhood or of a subordinate body who shall engage in
3 any business outside of the regular duties of the International
4 Brotherhood shall immediately upon engaging in such outside business
5 resign or apply for leave of absence and vacate the office, provided that
6 nothing herein shall be construed as to prohibit the holding of elective or
7 appointed office in the AFL-CIO or any department thereof, or in
8 Building Trades Councils, Metal Trades Councils, Central Bodies, or State
9 Federations chartered by the AFL-CIO with which subordinate bodies
10 are affiliated, provided that the Executive Council may permit exceptions
11 to the above.

ARTICLE 5

EXECUTIVE COUNCIL AND DUTIES

5.1 – Composition

1 The Executive Council shall be composed of the International
2 President and the International Vice Presidents.

5.2 – General Duties of Executive Council

1 The Executive Council shall have governing authority over the
2 International Brotherhood and its subordinate bodies when not in
3 Convention session to the end of upholding the laws and policies of the
4 Brotherhood as expressed in this Constitution; provided, however, that
5 except to the extent necessary to accomplish such purposes the subordi-
6 nate bodies of the Brotherhood shall have autonomy in the conduct of
7 their affairs, including organizing activities, the negotiation and adminis-
8 tration of collective bargaining agreements, and engaging in economic
9 activity to that end where not done by the International Brotherhood
10 itself; and provided further, that the International Brotherhood shall not
11 be responsible for any actions, activities, or omissions of any of its subor-
12 dinate bodies or their representatives unless the same were authorized or
13 directed by the International Brotherhood. The Executive Council shall
14 have the power to supervise all business and financial affairs of the
15 International union and to authorize all expenditures deemed necessary

16 to effectuate or accomplish the objectives of this International union, as
17 set forth in Article 1.2 and other applicable provisions of the union's
18 Constitution, or for its benefit. With the exception of the International
19 President, when an International Officer retires, or for any reason vacates the
20 office during an elected term, the Executive Council, upon the recommenda-
21 tion of the International President, shall have the authority to: eliminate the
22 vacated office; realign the territorial sections set forth in Article 4.3; realign the
23 administration of the divisions set forth in Articles 23.2.1 and 24.2.1; and con-
24 solidate and/or redistribute the duties of the vacated office to one or more of
25 the remaining Officers. The Executive Council shall have authority, upon
26 recommendation of the International President, to continue to maintain,
27 modify, implement, and/or administer retirement, health care, and other
28 benefit programs for the benefit of officers, staff, and employees of the
29 International union, and their dependents. The Executive Council shall
30 have the authority to consummate a merger or affiliation of another labor
31 organization into the International union, including the authority to
32 increase the number of International Vice Presidents-at-large where nec-
33 essary to effectuate such merger or affiliation, and to continue current
34 policies and/or modify from time to time the policy governing such
35 expenditures by the International union, its officers, and staff. The
36 Executive Council shall have the authority, acting upon a recommenda-
37 tion of the Board of Trustees, to continue the transportation policy replac-
38 ing in whole or in part the automobile allowance set forth in Articles 7
39 and 8 or to change said allowance if the adoption of said policy or change
40 is in the best interest of the International union, or, in-lieu-of any such
41 allowance, to purchase and maintain automobiles for the use of designat-
42 ed officers and/or staff. The Executive Council shall have the authority,
43 acting upon a recommendation of the International President, to adopt a
44 relocation allowance policy which shall be applicable to officers and staff
45 who are directed to relocate their home point and as a consequence incur
46 significant economic expenditures or losses. The Executive Council shall
47 be empowered to establish and/or charter subordinate bodies and to
48 establish, and/or change the geographical location of such subordinate
49 bodies and to establish, define, and change their geographic and trade or
50 work jurisdiction. The Executive Council shall have the authority to
51 determine whether or not a Local Lodge shall be affiliated or disaffiliated
52 with a Council or District Lodge. The Executive Council shall have
53 authority to establish rules and regulations to properly administer the
54 provisions of this Constitution where they are not specifically spelled out
55 herein and are not inconsistent therewith. It shall have the power to pass
56 on any subject, proposition, or grievance, and hear and determine all
57 cases of appeal from the decisions and rulings of the International
58 President which are filed by registered or certified mail with the
59 Executive Council within thirty (30) days of the date of such decision or
60 ruling, except as provided in Articles 28.5 and 28.8, and of subordinate

61 bodies, or involving any member or officer within the International
62 Brotherhood, or any appointed representative. In all matters which are to
63 be decided and acted upon by the Executive Council, a member or offi-
64 cer of the Brotherhood or a panel duly appointed by the International
65 President may act in the matter with required report to the Executive
66 Council for decision by the Executive Council. All decisions of the
67 Executive Council shall be final, except as provided in Article 17.6.3.

**Article 5.2.1 – Authority to Require
Direct Submission of Dues Check-off**

68 For any Local Lodge that has established a history of chronically late
69 submission of required reports and/or audits, the Executive Council shall
70 have the authority to require that Local Lodge to direct the employer in
71 writing that monthly dues check-off shall be submitted directly to the
72 International Secretary-Treasurer’s office. In the event the employer refus-
73 es to comply with the Local Lodge’s written directive, the Local Lodge
74 shall, immediately upon receipt of the employer’s dues check-off, endorse
75 the employer’s dues check-off check over to the International Secretary-
76 Treasurer and forward same with all supporting documents to the
77 International Secretary-Treasurer’s office by certified mail. The
78 International Secretary-Treasurer’s office shall remit to the Local Lodge
79 that portion of the monthly dues receipts that are normally retained by the
80 Local Lodge.

**Article 5.2.2 – Authority to Require
Reimbursement of Audit Expenses**

81 The Executive Council shall have the authority to require the Local
82 Lodge to reimburse the International union for any and all actual expens-
83 es incurred by International staff and/or auditors in order to bring the
84 Local Lodge into compliance with its reporting and recordkeeping duties
85 and requirements.

5.3 – Jurisdiction of District and Local Lodges

1 The Executive Council shall have authority to designate District and
2 Local Lodge trade or work jurisdiction and their geographical jurisdic-
3 tion. Such designation shall be set forth in each charter upon its issuance.
4 Such jurisdiction shall continue until such time, following notice and
5 hearing, that the Executive Council determines to enlarge or restrict such
6 jurisdiction and the Executive Council shall have the right to make such
7 appropriate changes in jurisdiction as the interests of the International
8 Brotherhood require.

5.4 – Consolidation of District and Local Lodges and Offices Thereof

5.4.1 – Consolidation of Lodges

1 The Executive Council shall have authority to consolidate two or more
2 District or Local Lodges in any area if, in its judgment, the interests of the
3 International Brotherhood and of the members involved so require. No
4 consolidation shall be directed by the Executive Council until after it has
5 held a hearing at which the members favoring or opposing such consoli-
6 dation have had a reasonable opportunity to be heard. Reasonable notice
7 of such hearing shall be given. Such hearing shall be conducted as pro-
8 vided for in Article 5.2. The Executive Council in its decision on the mat-
9 ter shall determine whether, when, and in what manner a consolidation
10 shall take place. In directing a consolidation it shall be the duty of the
11 Executive Council to safeguard and protect the membership rights of per-
12 sons affected by or involved in any consolidation and to safeguard and
13 protect the properties, funds, and assets of the District or Local Lodges
14 which are being consolidated so that such properties, funds, and assets
15 become the property of the consolidated Lodge, less the costs incurred by
16 the International in effectuating such consolidation.

5.4.2 – Consolidation of Offices

17 In any case where two or more District or Local Lodges are to be con-
18 solidated pursuant to this section, the Executive Council shall have
19 authority to consolidate the offices of such Lodges provided that the
20 involved Lodges have been unable or are unwilling to agree upon a con-
21 solidation of offices satisfactory to the Executive Council.

22 The Executive Council shall also have authority to consolidate offices
23 within a District or Local Lodge if, in the judgment of the Executive
24 Council, the interests of the International Brotherhood and of the Lodge
25 so require. All officers of District and Local Lodges shall take office sub-
26 ject to the above provisions.

5.5 – Issuance of Local Lodge Charters

1 Thirty-five (35) or more persons residing within the territorial jurisdic-
2 tion of the International Brotherhood and possessing the qualifications
3 required by this Constitution may apply for a Local Lodge charter. Such
4 application shall be considered by the International President and at the
5 International President's discretion, be granted; however, the
6 International President shall not have the authority to change the jurisdic-
7 tion of existing Local Lodges.

5.6 – Minimum Requirements for Maintaining Local Lodge Charters

1 Upon issuance of such charter, such Local Lodge shall, subject to other
2 applicable provisions of this Constitution and particularly Articles 5.3 and
3 5.4, continue in existence while thirty-five (35) or more of its members are
4 employed under the jurisdiction of the International Brotherhood, subject
5 to the approval of the Executive Council. If thirty-five (35) or more mem-
6 bers maintain membership in such Local Lodge and otherwise comply
7 with the provisions of this Constitution, all books, records, properties,
8 funds, and assets (including trusts, trust funds, or other trust properties
9 held, operated, or controlled by such Local Lodge) owned or held by such
10 Local Lodge shall remain the property of such Local Lodge so long as the
11 charter is maintained.

12 Any Local Lodge having less than thirty-five (35) active members
13 (unless otherwise approved by the Executive Council) shall be auto-
14 matically disbanded and its charter returned to the International
15 Brotherhood, together with all books, records, properties, funds, and
16 assets (including trusts, trust funds, or other trust properties held,
17 operated, or controlled by such Local Lodge) owned or held by such
18 Local Lodge at the time of such disbanding, which shall become the
19 property of the International Brotherhood.

5.7 – Grievance Adjustment Procedures

1 All grievances or disputes involving matters which are not the proper
2 subject of disciplinary proceedings, including grievances or disputes with-
3 in a Local Lodge, or between Local Lodges, or between a District Lodge
4 and a Local Lodge, if not settled within thirty (30) days of the original
5 occurrence of the grievance or dispute, within the next fifteen (15) days
6 may be submitted for adjustment to the International President, or the
7 International President's designee, who shall investigate and resolve the
8 matter, subject to appeal within thirty (30) days, by registered or certified
9 mail to the Executive Council whose decision shall be final.

5.8 – Meetings of Executive Council

1 The Executive Council shall meet on call of the International President as
2 conditions warrant, but shall meet at least semi-annually, and shall meet
3 immediately preceding and following each Convention. Its decisions shall be
4 governed by majority vote. A majority of the Council shall constitute a quo-
5 rum. When not in formal session, the Executive Council may act on any mat-
6 ter by letter, telephone, facsimile, e-mail, or any other means as determined
7 appropriate by the International President. All action not taken at a formal
8 Council session shall be confirmed in the form of a signed Council document.

ARTICLE 6
INTERNATIONAL BOARD OF TRUSTEES
AND DUTIES

6.1 – Qualifications and Selection

1 Subject to the control and supervision of the Executive Council, there
2 shall be an International Board of Trustees, hereinafter called the “Board
3 of Trustees,” consisting of the International President, International
4 Secretary-Treasurer, and a third member who shall be an elected
5 International Officer, who shall be selected by the other two members,
6 subject to confirmation by the Executive Council.

6.2 – Authority to Hold Title

1 The individual members and their successors, as from time to time
2 designated and constituting the Board of Trustees, shall have authority to
3 hold in their names or in the name of their nominee, the legal title to all
4 real and personal property owned, possessed, and belonging to this
5 International Brotherhood, in trust nevertheless, for the use and benefit of
6 the International Brotherhood and the members thereof. No member of
7 the Board of Trustees or any successor, as such, nor anyone claiming by,
8 through, or under such individual, shall have or be vested with any per-
9 sonal right, title, or interest in or to any of such property.

6.3 – Management and Control of Funds

1 The Board of Trustees shall have power to manage, control, and oper-
2 ate the property and invest the funds of this International Brotherhood.
3 All investments shall be of the type as shall conform to the standards for
4 investments made by fiduciaries under the laws of the State of Kansas or
5 the District of Columbia, except that the Executive Council may author-
6 ize the Board of Trustees to invest in other properly secured investments
7 up to sixty percent (60%) of the value of such investments.

6.4 – Authority to Purchase and Sell Property

1 The Board of Trustees shall also have power, when expressly author-
2 ized by the Executive Council, to purchase, acquire, encumber, sell, lease,
3 trade or exchange, improve or repair any real or personal property, and
4 to execute contracts, assignments, deeds, conveyances, mortgages, liens,
5 and other instruments of writing, concerning any or all of such property
6 for and on behalf of this International Brotherhood, wherever the same
7 may be situated.

6.5 – Majority Action Required

1 All powers conferred on the Board of Trustees by this Article shall be

2 exercised by a majority action of the members thereof; provided, however,
3 that any deed, mortgage, or other instrument conveying title to or any inter-
4 est in real or personal property of this International Brotherhood, or any
5 written lease covering any portion of such property, shall be executed by at
6 least two (2) members of the Board of Trustees.

6.6 – Term of Office and Filling Vacancies

1 Each member of the Board of Trustees shall continue in office until a suc-
2 cessor has been duly selected and qualified. In case of the death, resigna-
3 tion, or removal of any of the members of the Board of Trustees, the
4 Executive Council shall thereupon declare a vacancy and promptly arrange
5 for the selection and confirmation of a successor, as herein provided.

6.7 – Termination of Responsibility

1 Upon the death, resignation, or removal of any one or more of the
2 members of the Board of Trustees, the legal title to all real and personal
3 property of this International Brotherhood, wherever the same may be
4 situated, then vesting in such former member or members, shall imme-
5 diately pass to and be vested in the surviving member or members of the
6 Board of Trustees and the successor or successors so designated; and in
7 any such event, no further written instrument, deed, conveyance, dis-
8 claimer, or other acquittance shall be required to complete the transfer
9 and vest the full legal title to all of such property in the surviving and suc-
10 cessor members of the Board of Trustees.

ARTICLE 7

DUTIES OF THE INTERNATIONAL PRESIDENT

7.1 – General Duties

7.1.1 – Principal Executive and Administrative Officer

1 The International President shall be the principal executive and
2 administrative officer of the International Brotherhood and shall enforce
3 all its laws according to its Constitution and policies set down by its
4 Conventions and the Executive Council. The International President shall
5 have direction and supervision of all subordinate bodies in connection
6 therewith and shall exercise day to day supervision over the affairs of the
7 International Brotherhood, all to the end of obtaining compliance with
8 the laws and policies of the International Brotherhood as set forth in this
9 Constitution; provided, however, that except to the extent necessary to
10 accomplish such purposes, the subordinate bodies of the Brotherhood
11 shall have autonomy in the conduct of their affairs, including organizing

12 activities and the negotiation and administration of collective bargaining
13 agreements where not done by the International Brotherhood itself or
14 where the International Brotherhood is not a party to said collective bar-
15 gaining agreement and engaging in economic activity to that end; and
16 provided, further, that the International Brotherhood shall not be respon-
17 sible for any actions, activities, or omissions of any of its subordinate bod-
18 ies or their representatives unless the same were authorized or directed
19 by the International Brotherhood. The International President shall be
20 authorized to appoint officers pro tem of the International Brotherhood
21 and of its District and Local Lodges and all committees not otherwise
22 provided for. The International President shall countersign all orders for
23 payment of money, and shall have authority to make such expenditures
24 from the funds of the International Brotherhood as are necessary for the
25 protection of its interests and the achievement of its objectives as
26 approved by the Executive Council. The International President shall be
27 empowered to designate any member of the International Brotherhood to
28 perform any of the duties of the International President's office.

7.1.2 – Appointment of Delegates to Special Conventions

29 The International President and International Secretary-Treasurer by
30 virtue of their office shall be delegates to all conventions of the American
31 Federation of Labor and Congress of Industrial Organizations (AFL-
32 CIO). Other allowed delegates to said conventions shall be appointed by
33 the International President as follows: the International Vice President
34 from the Vice Presidential section in which the convention is held; and a
35 representative of each of the three Divisions of the International
36 Brotherhood as provided in Article 19.1: Shipbuilding and Marine,
37 Construction, and Industrial Plants and Shops. For conventions of any
38 other organization with which the International Brotherhood may be
39 affiliated, appointment of delegates shall be at the International
40 President's discretion.

41 The International President shall have power to authorize allowances
42 and expenses for such delegates and in addition shall have power to
43 authorize any of such delegates to attend departmental conventions of the
44 AFL-CIO or to authorize other members of the International Brotherhood
45 to act as representatives of the Brotherhood at such conventions and meet-
46 ings of labor organizations or labor federations as the International
47 President deems necessary for the interests of the Brotherhood. The
48 International President shall similarly be empowered to authorize
49 allowances and expenses for such persons.

7.2 – Constitutional Interpretations

1 The International President shall hear and decide all questions involv-
2 ing interpretation or application of this Constitution or of subordinate
3 body By-Laws, and all decisions shall be binding unless reversed or mod-
4 ified by the Executive Council upon proper appeal.

7.3 – Salary and Expenses

1 Effective August 1, 2006, the International President shall receive a salary
2 of Four Thousand Eight Hundred-Twenty-One Dollars (\$4,821.00) per week,
3 plus allowances and expenses.

7.4 – International Representatives

1 The International President shall be empowered to appoint
2 International Representatives whose salary shall not exceed fifty-five
3 percent (55%) of the International President's salary, per month, payable
4 semi-monthly. They shall each, in addition to the salary approved by the
5 International President, receive for allowances and expenses as follows:
6 lowest-available coach class, plane fare that can be obtained, railroad
7 fare and Pullman fare (when necessary), or if travel is by automobile, the
8 maximum amount allowable by the Internal Revenue Service; hotel,
9 food, and maintenance allowance and expenses in the amount of single
10 hotel room plus Seventy-Five Dollars (\$75.00) effective August 1, 2006,
11 and actual expenses for cab fare, postage, and other necessary expenses
12 when itemized in expense account; provided, however, that the
13 Executive Council shall have authority to amend the allowances and
14 expenses as set forth herein and/or to replace same with alternative
15 expenses and allowances.

7.5 – Direction of Organizational Work and International Representatives

1 The International President shall direct all organizational work; may
2 assign International Vice Presidents and International Representatives to
3 any section under the jurisdiction of the International Brotherhood; shall
4 be empowered to make adjustments in policy affecting remuneration to
5 remedy problems that create inequities and transact any business the
6 International President may assign to them; and shall be authorized to
7 employ such assistance for the operation of the International President's
8 office as the International President deems necessary.

7.6 – Employment of Official Auditor

1 The International President shall employ, subject to the approval of the
2 Executive Council, a certified public accountant to examine the books and
3 records of the International Brotherhood at the headquarters office and to

4 make an audit which the auditor shall submit together with a report of the
5 auditor's findings to the Executive Council annually, or as otherwise
6 directed by the International President and the Executive Council.

7.7 – Presiding Officer and Convention Report

1 It shall be the duty of the International President to preside at all
2 Conventions, and submit to each regular Convention a report of the activi-
3 ties of the International Brotherhood between Conventions.

7.8 – Financial Assistance

1 The International President shall have authority to grant financial
2 assistance to subordinate bodies when in the International President's
3 judgment the best interests of the International Brotherhood so require
4 and where the conditions of Article 31.2.3 have been met.

ARTICLE 8

DUTIES OF INTERNATIONAL VICE PRESIDENTS

8.1 – General Duties

1 It shall be the duty of the International Vice Presidents to supervise the
2 operation of subordinate bodies, including servicing of such bodies and
3 assisting in their organizing efforts, all under the direction of the
4 International President. When assigned by the International President,
5 they shall perform such other duties in such other localities or sections as
6 instructed. The International Vice Presidents shall transact such other
7 business as they deem advisable where they believe it to be for the best
8 interest of the International Brotherhood or when instructed to do so by
9 the International President. They shall keep the International President
10 informed on the general conditions in their respective sections. When the
11 International President, or International Secretary-Treasurer, or the
12 International Vice President of the section has cause to believe that the
13 financial affairs of a subordinate body are not being properly handled, the
14 International Vice President or a duly-designated representative, shall
15 have the power to enter any subordinate body and conduct an examina-
16 tion or audit of the books and accounts of such subordinate body and, if
17 necessary, to take whatever steps are required to correct the situation, sub-
18 ject to the approval of the International President.

8.2 – Salary and Expenses

1 The International Vice Presidents shall receive a salary equivalent to
2 ninety percent (90%) of the International President's constitutionally-
3 established salary, payable weekly, plus allowances and expenses; provid-

4 ed, however, that the Executive Council shall have the authority to amend
5 and/or to replace such allowances and expenses with alternative
6 allowances and expenses.

ARTICLE 9

DUTIES OF THE INTERNATIONAL SECRETARY-TREASURER

9.1 – General Duties

1 The International Secretary-Treasurer shall be responsible for keeping
2 a true record of all proceedings of International Conventions and
3 Executive Council meetings; shall have custody of all the property of the
4 International Brotherhood and shall receive all income; shall pay all war-
5 rants drawn on the treasury when properly countersigned by the
6 International President; shall submit all bills to the International
7 President for approval, except for those of a routine, fixed, or recurring
8 nature, such as for service and supplies; shall purchase, when author-
9 ized, all supplies necessary to conduct the business of the International
10 Brotherhood; shall be authorized to employ such assistance for the oper-
11 ation of the International Secretary-Treasurer’s office as the International
12 Secretary-Treasurer deems necessary; and shall, by virtue of office, be a
13 delegate to conventions of the American Federation of Labor and
14 Congress of Industrial Organizations (AFL-CIO).

9.2 – Supplies

1 The International Secretary-Treasurer shall receive all applications for
2 charters, and endorse and forward the same to the International President,
3 who shall issue necessary instructions. The International Secretary-
4 Treasurer shall have charge of all supplies and shall furnish the same to all
5 Lodges. The International Secretary-Treasurer shall forward free of cost to
6 each Lodge as many copies of this Constitution as each Lodge shall have
7 members, as shown by its last report, such copies to be distributed by the
8 Secretary-Treasurer or other officer of the Lodge to all of the members
9 thereof. Additional copies of this Constitution shall be furnished at cost,
10 except in the case of newly initiated or reinstated members.

9.3 – Keeping of Accounts

1 The International Secretary-Treasurer shall keep a systematic account
2 of all transactions between the International Brotherhood and the subor-
3 dinate bodies, so as to render a strict account of all receipts and supplies.
4 The International Secretary-Treasurer shall issue to each subordinate
5 body and to the Executive Council, after the close of the fiscal year (June
6 30th), an annual financial report as directed by the Executive Council.

7 Said report shall show an itemized account of all receipts and disburse-
8 ments, together with a statement of assets and liabilities of the
9 International Brotherhood. The International Secretary-Treasurer shall
10 furnish the International President a list of all Lodges that have not sub-
11 mitted proper monthly reports; shall maintain a complete roll and record
12 of the membership; and shall make such changes from time to time as
13 may be necessary through transfer, withdrawal, suspension, expulsion,
14 or death of members to keep such roll current. The International
15 Secretary-Treasurer shall, upon assuming office, furnish bond as required
16 by law, which shall be taken out in some reliable guaranty company, the
17 expense of the same to be borne by the International Brotherhood.

9.4 – Salary and Expenses

1 The International Secretary-Treasurer shall receive a salary equivalent to
2 ninety percent (90%) of the International President’s constitutionally-
3 established salary, payable weekly, plus allowances and expenses, and
4 shall be under the supervision of the International President.

9.5 – Accounting Requirement

1 The International Secretary-Treasurer shall be authorized to establish
2 and prescribe a uniform and modern bookkeeping system for use by sub-
3 ordinate bodies of the Brotherhood and with the approval of the
4 International President shall be authorized to require subordinate bodies
5 to adopt and use such system.

ARTICLE 10

OFFICIAL PUBLICATION

1 The International Brotherhood shall publish and maintain an official
2 publication to be distributed to all members. The editorial policy and
3 management of the publication shall be under the direction of the
4 International President. The International President is authorized to
5 make such expenditures in connection with the publication, operation,
6 and distribution of the official publication as the International President
7 deems necessary, subject to the approval of the Executive Council.

ARTICLE 11

ESTABLISHED JURISDICTION OF THE TRADE

1 It is hereby established and shall be so upheld by the International
2 Brotherhood that its members have jurisdiction over the following work,
3 subject of course, to joint agreements with other International unions
4 which may modify certain claims herein:

1 **11.1.** All boilers, parts and related equipment, drums, water tubes,
2 fire tubes, combustion tubes, and arch tubes; thermic syphons, smoke
3 boxes, and stacks; front-ends and doors, draft plates, baffles and
4 diaphragms, spark arresters, including wire netting and frames, ash pans,
5 flash pans, fire doors and fire door frames, including operating mecha-
6 nisms, stokers, grates, and rigging; oil, gas, nuclear, and pulverized coal
7 burners; steel cabs and tank houses, metal running boards and steps,
8 metal pilots, including manufacturing, application, removal, and repair;
9 cylinder and dome casings, brackets for air pumps, air pumps, head
10 lights, dynamos, oil heaters, and classification lights; wind sheets, deck
11 plates, deck aprons, shovel sheets, splash plates, expansion plates, and lat-
12 eral braces; locomotive tender tanks, tender tank frames and tender tank
13 truck frames, grab irons, hand rails, and metal ladders; building, repair-
14 ing, and applying snow plows, derricks for wreckers, power shovels and
15 pile drivers, building oil and gravel spreaders; body frames on electric or
16 diesel locomotives, body underframes and all body, cab, and housing
17 work, gear casings and wheel covers, battery boxes, ventilator covers, and
18 grid panels; motor housing, name, and classification plates; oil tanks,
19 tanks of tank cars, including brackets, hand rails, ladders, and metal jack-
20 ets when used on same; all laying-out, cutting, bending, flanging, fitting
21 up, patching, bolting, riveting, chipping, caulking, drilling, reaming, tap-
22 ping, and beveling machines, including fitting of washout plugs; testing
23 and inspecting all vapor, steam, water, air, gas, oil, or other tight joints,
24 including all stays, braces, and water tight studs; acetylene cutting, weld-
25 ing, and heating; electric arc welding; metalizing; all I-beams, channel
26 iron, angle iron, T-iron, Z-iron, and other structural forms used on work of
27 our trade; tool keeping, boiler washing, flue blowing, boring, or washing.
28 Thickness of plate for our trade on railroads covers 16 gauge or heavier.

1 **11.2.** The operation of any machine, or the use of any method or
2 device employed in manufacturing, fabricating, laying out, aligning,
3 drilling, punching, shearing, beveling and grinding, fitting, bolting, riv-
4 eting, chipping, caulking, acetylene cutting, burning or heating, welding
5 (all processes), bonding, metalizing, mamutizing and application of apex-
6 or coating, construction, erecting, assembling, installation, remodeling,
7 repairing, wrecking, alteration, testing, inspecting, maintaining, rigging,
8 unloading and handling of all boilers and appurtenances, headers, parts,
9 frames, supports; air and water walls; casings, assembled or completed
10 sections or parts; drums, tubes and flues; baffles and draft appliances;
11 economizers, super heaters, circulators, attemporators, downcomers,
12 sludge boxes and sluice troughs, stokers; grates, heat units; buck stays;
13 fronts and doors; stacks, breechings, and uptakes; soot collectors and
14 blowers, smoke boxes, smoke consumers, cinder collectors, precipitators,
15 furnaces and furnace bottoms, steam generators, including nuclear;
16 heaters; steam accumulators, condensers, evaporators, air heaters and

17 pre-heaters, hot and cold air ducts, and fans; oil and gas burners, coal
18 tanks, ash tanks, waste disposal tanks, other tanks and vats, conveyors,
19 scrapers, all air, oil, gas, steam, vapor, water, and other tight joints; stand
20 pipes, water towers, metal pipe and pipe lines, metal well casings, incin-
21 erators, air washers, cooking devices, creosoting cylinders, gas purifying
22 equipment, gas holders, gasometers, including frames; coal washers; all
23 work in and around rolling mills, mines, smelters, refineries, chemical
24 processing, rubber, feed material, and fuel element plants; blast and open
25 hearth furnaces; aluminum, annealing, electrical, gas fired, heat treat,
26 isoflow, reheat, stoker fired, and all other type furnaces; hot stoves, cupo-
27 las, dump cars, roasters, converters, digesters, calciners, kilns, skips and
28 skip dumpers, skip trucks, steel chutes, and liners; ore, water and toilet
29 cars, chutes, steel bulkhead, and doors; water, flood, and measuring
30 gates; locks, dams, caissons, spillways, penstocks, sluice and tube work,
31 flume work, water wheels, generator frames, turbine casings, and blades;
32 recovery units, deaerators, cracking units, bubble towers, wind tunnels;
33 all sheet iron or steel, stainless steel, aluminum, silver, all other pure met-
34 als, alloys and plates, including clad or bonded plates of sixteen (16)
35 gauge or heavier, in shops or field construction work, except where
36 agreements exist with other international unions.

1 **11.3.** The manufacturing, fabrication, laying out, construction, erection,
2 erection, assembling, installation, altering, remodeling, repairing, wrecking,
3 testing, inspection, and maintenance of all iron and steel ships (naval or
4 commercial); marine vessels, tankers, barges, dredges, pontoons, boats,
5 and composite marine vessels; light buoys; floating dry docks, including
6 the following work: shearing, beveling and grinding, cutting, chipping,
7 punching, riveting, caulking, drilling, bolting, tapping, reaming, rolling,
8 forming, fairing, aligning, erecting, raising, handling, and rigging; rigging
9 loft; acetylene and other cutting; burning and heating; welding, all
10 processes; oil, water, or other tight shiptanks, bins, vats, and hoppers;
11 mold doors, ventilators, foundations, pillars, stanchions, inboard and out-
12 board fittings, hawse pipes, bits, chocks, plugs, pads, ring bolts, railings,
13 ladders, grating, doublers, stiffening rings, fire-engine room, and portable
14 floors and platforms; all fittings, boiler making, mold lofting, angle-
15 smithing, shipfitting, scaffold building (steel, including pre-fitted planks),
16 frame bending (hot or cold), iron hanging and erecting, keel laying, main
17 and auxiliary docking keel, stem and stern posts, struts, framing beams;
18 docks, superstructure, bridges, fighting tops, and enclosures; gun ports,
19 hatches, man holes, scuppers, ammunition hoists and boxes, cartridge
20 boxes, ducts, trunks, cowels, service lockers, turrets, drip pans, water
21 sheds, metal reels, boat stowage, warping, food and deck gear, davits,
22 searchlight platforms; metal fittings in connection with ground tackle;
23 leadsman platforms, skylights; stacks, breeching, uptakes and connections
24 funnels, decks, landing decks on airplane carriers, including airplane and

25 other elevators; docking and undocking of all types of ships and vessels.

1 **11.4.** All nuclear reactors, both homogenous and heterogenous, all
2 components and reactor systems as applied to all branches of our trade,
3 including but not limited to core elements, cover control rods, safety rods,
4 core tanks, thermal and biological shields, core tank containment, reflectors,
5 breeding material, controls and instrumentation, plugs, pressure and
6 containment vessels, loading devices, transfer equipment, coffins, pressurizers,
7 heat transfer equipment (primary and secondary), coolant containers,
8 air ducts, fans, stacks, cold and hot traps, ion chambers, dump tanks, caves
9 and hot cells, fuel element, storage racks, decay tanks, sampling devices,
10 rabbit holds and thimbles, seals, and environmental shielding.

1 **11.5.** The operation of any machine or device, or the use of any
2 method or process employed in the manufacture, fabrication, construction,
3 installation, alteration, repairs, etc., on work coming under the jurisdiction
4 of this International Brotherhood shall be operated and performed by mechanics
5 of our trade, for example: power and rolls; bending machines, hot or cold;
6 flanging machines; hydraulic presses, hot or cold; punches, shears, plate planes,
7 power and friction saws, bolt cutters and threaders, tube welding and swedging
8 machines; bull, jam, and yoke riveters; portable air and electric motors; heating,
9 annealing, and heat treating furnaces and devices; welding and pantograph cutting
10 machines, including demonstrators, thermal overlay, bottle spark, and man way
11 watch pertaining thereto; quality control; fiber spinning; all technical
12 work (technicians and mechanics).
13

1 **11.6.** All blacksmith work in railroad shops, shipyards, navy yards,
2 arsenal and naval stations, automobile shops, carriage and wagon shops,
3 motorcycle shops, contract shops, frog and crossing shops, drop forge
4 shops, forge shops, spring shops, chain shops; nut, bolt, and rivet shops;
5 acetylene, electric, heliarc, and thermit welding shops; and all boilermaker
6 and blacksmith work in all other shops where such work is done.

1 **11.7.** All forging, all welding, whether by acetylene, electric, thermit
2 or any other process; all flue and tube welding; straightening of iron and
3 steel, both hot or cold; all blacksmiths' work on structural shaped steel; all
4 forging, tempering, and dressing of tools, including sharp edge tools and
5 instruments; bending and straightening of angle iron, channel iron, T-iron,
6 and I-beam, whether done hot or cold, from furnaces or fires; operating
7 forging and upsetting machines, drop forging and trimmers, both hot or
8 cold; axle forgers, bolt machines, bulldozer and machine work, or any
9 machine doing blacksmith work; all work performed on Bradley hammer;
10 punch and shear machines, when connected with the blacksmith department,
11 hot or cold; hand, steam, or air press machines, all frames on

12 engines, cars, tanks, and trucks, all welding of rails, building up switch
13 points and frogs, and all track work; all dredge dipper and steam shovel
14 work; hardeners, case hardeners, annealers, and heat treaters, and the
15 reclaiming of scrap.

1 **11.8.** Automobile and wagon and carriage shops; putting on, taking
2 off and fitting auto fenders; putting on running board brackets; building
3 and rebuilding fire trucks; making and repairing all springs, putting on and
4 taking off all springs, making all springs and spring fitting, setting and riv-
5 eting when done in conjunction with blacksmith work; grinding pertaining
6 to blacksmith work; benders, resetters, bath men, forgers, and finishers.

1 **11.9.** Putting on and taking off rubber tires, putting flanges on wheels,
2 putting on and repairing bumpers, putting on and taking off wheels, put-
3 ting on and riveting fiber on brake bands, putting on and taking off radius
4 rods, putting on pyrene brackets, repairing and setting all axles, straight-
5 ening and repairing of auto frames, putting on brackets for radiators, fitting
6 up windshields, putting handles on doors, fitting hand rails on backs of
7 auto, fitting up gongs. All drilling and filing, lining up wheels, adjusting
8 brake rods, tip welding and tiresetting, making and putting on license
9 brackets, headlight brackets, making and putting on body iron.

1 **11.10.** All blacksmiths, tool and die makers' helpers, furnace opera-
2 tors, heaters, hammersmiths, heavy forgers, hammerdrivers, drop for-
3 ers, trimmers; bolt making, shell forging, machine bolt making; operat-
4 ing bulldozers used for forging, shaping, and forming of metal; hot or
5 cold angle iron smithing; flue, acetylene, electric, thermic, tube welding;
6 chain making, tool dressing, granite tool sharpening, ornamental and
7 structural iron smithing; punch, shear, and roll operating; automobile
8 and vehicle smithing and finishing; spring making, mine smithing, glass
9 house smithing, rock drill sharpening, tempering, case hardening, bi-
10 chloride tempering, annealing, and heat treating; air and hydraulic
11 presses, hot or cold, in connection with blacksmiths' work; lever and
12 crane operating, stockmen; carriage and wagon smithing and finishing;
13 machine forging, aeroplane smithing, surgical instruments and sharp
14 edge tool making, dock smithing, inside iron and grill work, hot or cold
15 press and stamping machines, construction smithing, safemaking equip-
16 ment, and hot wire drawing.

1 **11.11.** All the foregoing and, in addition thereto, any other work
2 which now or in the future may, as industries develop, fall naturally with-
3 in the scope of the jurisdiction of the International Brotherhood of Boiler-
4 makers, Iron Ship Builders, Blacksmiths, Forgers, and Helpers, shall con-
5 stitute work coming under its jurisdiction, and shall be performed by
6 members of the aforesaid organization.

1 11.12. There shall be no change in the established practice in the rail-
2 road industry with respect to the handling of jurisdictional disputes
3 between the Boilermaker and the Blacksmith crafts. The existing machin-
4 ery in effect will be used.

1 11.13. Where other materials are used as a substitute for metal, or
2 where equipment is developed of materials other than metal of the type
3 covered by the foregoing paragraphs, such material or equipment is
4 equally covered under this Article.

ARTICLE 12

REVENUE

12.1 – Sources

1 The revenue of the International Brotherhood shall be derived from
2 the following sources: (a) a Per Capita Tax as provided by this
3 Constitution payable monthly on dues receipts of all members of all sub-
4 ordinate bodies of the Brotherhood and on any receipts from agency
5 shop, Rand Formula, or other similar arrangements; (b) initiation and
6 reinstatement fees; (c) fees and charges as prescribed by this Constitution;
7 (d) supplies for which charges are levied to subordinate bodies; (e) invest-
8 ments; and (f) such other sources as may be determined by the Executive
9 Council, consistent with this Constitution.

12.2 – Taxes and Fees

12.2.1 – Schedule of Taxes and Fees

1 Effective October 1, 2006, the amounts of the above taxes, fees, and
2 charges, which are payable to the International Brotherhood, shall be
3 as follows:

Initiation and Reinstatement Fees

| | | | |
|----|---|--|----------|
| 7 | \$25 - \$100 | One Month's Per Capita Tax | |
| 8 | \$101 - \$1,000 | 20% of the fees collected shall be remitted to the | |
| 9 | | International Secretary-Treasurer | |
| 10 | Withdrawal Card (One Month's Per Capita Tax) | | \$ 20.65 |
| 11 | Renewal of Withdrawal Card | | \$ 10.00 |
| 12 | Deposit of Withdrawal Card (One Month's Per Capita Tax) | | \$ 20.65 |
| 13 | One Month's Per Capita Tax | | \$ 20.65 |
| 14 | Sick Receipt | Per Capita Tax Paid Monthly | |

12.2.2 – Annual Adjustment

15 Every January 1, the monthly Per Capita Tax set forth in Article 12.2.1
16 above shall be adjusted by the percentage increase in average hourly
17 earnings in manufacturing as issued by the Bureau of Labor Statistics for
18 the twelve (12) month period, July to July, immediately preceding an
19 adjustment date, “rounded” to the nearest Five Cents (\$0.05) with the
20 maximum adjustment on any adjustment date to be One Dollar (\$1.00).
21 However, if the Bureau of Labor Statistics changes the manner in which it
22 collects data and/or evaluates the average hourly earnings in manufac-
23 turing such as to create an anomaly in the adjustment, the adjustment for
24 the proceeding year shall be the average of the last three (3) years. Such
25 action shall remain controlling until the next regular Convention.

12.2.3 – Contingency Increase

26 Effective January 1, 2007 through June 30, 2007, and then in each fiscal
27 year thereafter (July 1 through June 30) in which the total number of active
28 members at fiscal year-end is less than the previous fiscal year-end total, the
29 Per Capita Tax shall increase by an amount proportionate to the number of
30 members lost, rounded to the nearest five cents (\$0.05). Such increase shall be
31 in addition to any other adjustments to the Per Capita Tax required under
32 this Constitution. There shall be at least ninety (90) days notice given to the
33 Local Lodges before the effective date of the increase. The effective date of
34 this contingency increase shall be January 1st of the calendar year following
35 the fiscal year in which the decrease in membership occurs. In any subse-
36 quent fiscal year membership increases, the Per Capita Tax shall be decreased
37 by an amount proportionate to the number of members gained, but in no
38 event shall this decrease exceed the amount of the accumulated increase.

12.3 – Payments to International Secretary-Treasurer

1 It shall be the duty of the International Secretary-Treasurer to collect
2 from each subordinate body the above taxes, fees, and charges, and it
3 shall be the duty of the subordinate bodies to make such payments to the
4 International Secretary-Treasurer immediately upon their receipt of the
5 tax, fee, or charge amount set forth in Article 12.2, with the next monthly
6 financial report.

ARTICLE 13

BONDING

13.1 – Requirement

1 All officers, representatives, and employees of the International
2 Brotherhood or of any subordinate body thereof who are required to be

3 bonded by law and/or this Constitution shall be bonded through the
4 International Brotherhood and the cost thereof shall be borne by the
5 respective body involved of which the person being bonded is an officer,
6 representative, or employee. Any person elected to office and unable to
7 qualify for proper bonding shall be automatically disqualified and the
8 office vacated.

13.2 – Amount of Bond

1 The amount of bond for each person bonded shall be in the proper
2 legal amounts as required by law and/or the Executive Council.

13.3 – Release from Bond

1 No officer, representative, or employee shall be released from such
2 bond until a proper audit of the accounts of said officer, representative, or
3 employee has been made and accepted by the appropriate body and the
4 International Brotherhood.

ARTICLE 14

DISTRIBUTION OF REVENUE

14.1 – Distribution

1 All revenue provided for in Articles 12.2.1, 12.2.2, and 12.2.3 received
2 by the International Brotherhood shall be deposited in the General Fund.
3 The General Fund may be used for the payment of all debts and obligations
4 of the International Brotherhood, or for any other legitimate purpose pre-
5 scribed in this Constitution, including, but not limited to, the payment of
6 Death Benefits as set forth in Article 15, Convention expenses, publication
7 expenses, strike and lockout benefits, and for the payment of legal fees and
8 other expenses incurred in the defense of the International Brotherhood.

ARTICLE 15

DEATH BENEFIT

15.1 – Coverage

1 **15.1.1.** Effective upon adoption of this Constitution, the New Death
2 Benefit coverage provided under Article 15, as adopted by the 23rd
3 Consolidated Convention, August 18-22, 1969, shall be revised as pro-
4 vided herein.

5 **15.1.2.** Effective August 1, 1970, the International Brotherhood shall
6 provide a Death Benefit of One Thousand Dollars (\$1,000.00) for eligible
7 members who had twenty-five (25) years or more of continuous partici-
8 pating membership in the International Brotherhood as of August 1, 1970,
9 regardless of age and on a closed group basis.

15.2 – Method of Funding Payments

1 All Death Benefits payable pursuant to the terms of Article 15 shall be
2 paid from the General Fund.

15.3 – Definitions

1 The following definitions shall apply to the terms used in this Article:

2 **15.3.1.** The term “eligible member” shall mean a member of the
3 International Brotherhood, regardless of age, who has twenty-five (25)
4 years or more of continuous participating membership in this
5 International Brotherhood as of August 1, 1970.

6 **15.3.2.** The term “continuous participating membership” shall mean
7 the uninterrupted period during which Death Benefit contributions have
8 been continuously paid from the date of initiation, or last reinstatement,
9 or deposit of a Withdrawal Card or a Severance Card, to the date of eligi-
10 bility, August 1, 1970.

15.4 – Notice of Death

1 Notice of death shall be given to the International Secretary-Treasurer at
2 the headquarters office of the International Brotherhood within thirty (30)
3 days after death unless notice within such time shall be prevented by
4 unavoidable circumstances. Upon receipt of notice, the International
5 Secretary-Treasurer shall mail to the person or persons entitled to make
6 claims, a form for the purpose of furnishing proof of death. The completed
7 form along with a certified death certificate shall be submitted to the
8 International Secretary-Treasurer at the headquarters office within thirty
9 (30) days after the receipt of such form. Failure to comply with the require-
10 ments of this section shall relieve the International Brotherhood from any
11 liability to a member or a member’s beneficiaries on account of death.

15.5 – Beneficiaries

1 An eligible member shall initially designate one or more beneficiaries on
2 a form to be furnished by the International Secretary-Treasurer and a change
3 of beneficiaries may thereafter be effected by filing a written request with
4 the International Secretary-Treasurer on such form. Any such change in ben-
5 efiiciaries shall become effective upon receipt of such written request by the
6 International Secretary-Treasurer.

15.6 – Funeral and Burial Expense

1 The International Secretary-Treasurer shall, in any event, have the
2 authority to pay funeral and burial expenses incurred on behalf of an eli-
3 gible member to the extent of the sum of Five Hundred Dollars (\$500.00)
4 and to deduct such payment from the amount of the Death Benefit
5 payable under this Article.

ARTICLE 16

STRIKES AND STRIKE BENEFITS

16.1 – Strike Vote

1 It shall be the duty of any subordinate body of the International
2 Brotherhood, which is contemplating engaging in a strike, to conduct a
3 strike vote prior to the calling of any such strike. The vote on the issue of
4 whether to call a strike, or to vote on a proposal from management, shall
5 be taken by secret ballot on ballot forms to be furnished by the
6 International Secretary-Treasurer, at a regular or special meeting of the
7 subordinate body involved, provided that if approved or directed by the
8 International President such secret ballot may be taken by other appropriate
9 means or manner. Regardless of whether a vote is taken at a regular
10 or special meeting, the affected membership of the subordinate
11 body shall be given adequate notice that a strike vote, or a vote on a proposal
12 from employers on settlement, will be taken, such notice to be
13 given in a manner reasonably calculated to reach such membership.
14 Only those members who are actually employed, or those members of
15 Industrial, Ship Building, or Marine Lodges who have been involuntarily
16 unemployed less than fourteen (14) calendar days, or those members
17 who are on the current out-of-work list of Construction Lodges available
18 for and seeking work at the time a vote is taken, shall be entitled to vote
19 on a strike or a proposal for settlement. Any member who voluntarily
20 has not worked or sought work under the jurisdiction of the
21 International Brotherhood or the member's Local Lodge for the sixty
22 (60) day period preceding a strike or proposal for settlement vote, shall
23 be prohibited from participating in said vote. Before the vote is taken, the
24 membership shall be advised of the issues involved. It shall require a
25 two-thirds vote of such members who are present and voting to obtain
26 an authorization for a strike. Authorization to strike shall be subject to
27 the approval of the International President. No strike shall be called
28 which is in violation of an existing collective bargaining agreement or
29 which is otherwise in violation of law. Members who fail to fully participate
30 in the strike efforts by leaving the area of the strike or securing
31 work elsewhere shall not be entitled to vote on any strike issue. Any
32 deviation from this section must have the prior approval of the
33 International President.

16.2 – Strike Benefits

1 The General Fund of the International Brotherhood shall be available
2 for paying strike, lockout, or victimization benefits. Such benefits shall
3 consist of a sum not to exceed One Hundred Fifty Dollars (\$150.00) per
4 week effective August 1, 2006, for each member in good standing who is
5 entitled to receive such benefits as provided in this Article. The Executive

6 Council may, by majority vote, suspend payment of such benefits when
7 the financial condition of the International Brotherhood so warrants.
8 Benefits shall commence to be paid on the first (1st) calendar day of unem-
9 ployment due to strike, lockout, or victimization as provided herein,
10 except that any member who has participated in a decertification effort or
11 any action to assist another labor organization to be recognized as the bar-
12 gaining agent shall forfeit all rights and claims to strike, lockout, or vic-
13 timization benefits, subject to the approval of the International President.
14 Every January 1, the weekly strike benefit set forth above may be adjust-
15 ed by the percentage increase in average hourly earnings in manufactur-
16 ing as issued by the Bureau of Labor Statistics for the twelve (12) month
17 period, July to July, immediately preceding an adjustment date, "round-
18 ed" to the nearest Five Cents (\$0.05).

16.3 – Conditions for Payment of Strike Benefits

1 Strike benefits shall be payable only under the following conditions
2 and after the following steps have been taken:

16.3.1 – Authorization

3 The subordinate body involved is in good standing and has obtained
4 strike authorization provided for in Article 16.1.

16.3.2 – Subordinate Body Reporting Requirements

5 The subordinate body involved has submitted a full report of the con-
6 templated strike to the International President setting forth the nature of the
7 strike, number of persons involved, and the issues. Such report shall be
8 received at International Headquarters in sufficient time to permit the
9 International President to conduct an investigation of the situation through
10 an International Vice President or other representative assigned by the
11 International President to perform such function.

16.3.3 – Investigation by International

12 Such representative shall investigate the situation, including the regu-
13 larity of the strike vote, and make a report thereon to the International
14 President, who, based on such report and on such other information as
15 the International President may have obtained, shall make recommenda-
16 tions to the Executive Council concerning the payment of strike benefits.
17 Upon receipt of such report, the members of the Executive Council shall
18 then vote on the question of whether to provide strike benefits and, if the
19 majority of the Council so vote, such benefits shall be paid.

16.3.4 – Eligibility for Benefit

20 When the International Brotherhood or any subordinate body thereof

21 is involved or engaged in concerted organizing activity and directly
22 involved employees have signed an official application for membership,
23 paid the required initiation and/or reinstatement fee as determined by
24 the International President, and so recorded in the office of the
25 International Secretary-Treasurer, said employees shall, subject to the
26 authorization and approval of the International President as provided
27 under Article 16.1, be eligible for strike sanction and benefits in accor-
28 dance with Article 16.2. The above situation shall also apply where direct-
29 ly involved employees within the bargaining unit are locked out or
30 forced to take strike action for recognition.

16.4 – Duties of Lodges Receiving Strike or Victimization Benefits

1 Whenever a strike is called in respect to which the payment of strike
2 benefits is being requested, the Secretary-Treasurer of the subordinate
3 body involved shall establish a strike roll in duplicate on forms provided
4 by the International Secretary-Treasurer, containing the names, address-
5 es, and register numbers of all members on strike or those victimized and
6 who are claiming benefits. A copy of such roll shall be forwarded to the
7 International Secretary-Treasurer each week that the strike or victimiza-
8 tion is in progress. The strike or victimization roll shall be signed in accor-
9 dance with instructions issued by the International Secretary-Treasurer.
10 Only members who sign the weekly strike or victimization roll shall be
11 eligible for benefits for such week. The strike or victimization rolls shall
12 be kept in the official files of the subordinate body for a period of one (1)
13 year after the termination of such strike or victimization and shall at all
14 times be subject to inspection by an authorized representative of the
15 International President. Any member who is either gainfully employed
16 or receiving unemployment compensation, workers' compensation, or
17 accident and sickness benefits, shall not be eligible to sign the weekly
18 strike or victimization roll. Any member who leaves the strike area or
19 fails to perform assigned picket duty when requested unless excused by
20 the officer in charge shall not be eligible to sign the weekly strike or vic-
21 timization roll. Members receiving strike or victimization benefits shall be
22 entitled to free dues for each full calendar month the strike or victimiza-
23 tion is in progress in which no more than four (4) days employment is
24 received. Such benefits shall be paid by the International Secretary-
25 Treasurer on the basis of the official strike roll. Each member receiving
26 strike or victimization benefits shall sign a note in duplicate, and such
27 duplicate shall be forwarded to the International Secretary-Treasurer
28 reading as follows:

29 State _____ City _____ Date _____

30 If I am either gainfully employed or receiving unem-
31 ployment compensation, workers' compensation, or
32 accident and sickness benefits and receive strike or vic-

33 timization benefits during such period of time, I hereby
34 further agree to pay back to the International
35 Brotherhood the full amount of strike or victimization
36 benefits received by me during such period of time.

37 I further agree that in the event the International
38 Brotherhood instigates litigation against me in order to
39 enforce the above agreement I shall pay all of the cost
40 incurred by the International Brotherhood.

41 Name _____

42 Address _____

43 Register No. _____

16.5 – Termination of Strike Benefits

1 Strike benefits shall be payable as long as the strike shall continue; pro-
2 vided, however, that the subordinate body involved in the strike shall
3 make every reasonable effort to terminate the strike; and provided fur-
4 ther that a representative of the International President shall be kept fully
5 informed of the progress of negotiations and shall be entitled to partici-
6 pate in such negotiations in an advisory capacity. If such representative
7 determines that any employer offer should be submitted to the member-
8 ship affected by the strike for a vote as to their acceptance, the represen-
9 tive shall be authorized to conduct such vote which shall be taken by
10 secret ballot at a meeting of which such members have been given rea-
11 sonable notice, a majority of those attending and voting to decide the
12 issue, but provided that such representative may authorize a vote to be
13 taken by other appropriate means or manner. It is further provided, how-
14 ever, that the International President, with the consent and approval of
15 the Executive Council, shall have the authority to terminate the payment
16 of strike benefits at any time that it is determined that further benefit pay-
17 ments are not warranted.

16.6 – Lockout or Victimization Benefits

1 Lockout or victimization benefits in the same amount as strike benefits
2 may be paid to any member in good standing who is neither gainfully
3 employed nor receiving unemployment compensation, workers' compen-
4 sation, or accident and sickness benefits, and has lost employment by rea-
5 son of being locked out by the member's employer or discharged while act-
6 ing under instructions of the member's subordinate body, or a committee
7 of such subordinate body. Such benefits shall be payable at the discretion
8 of the International President upon approval of the Executive Council if,
9 upon investigation, it is determined that such payments are warranted,
10 and shall continue for such period as the lockout continues or the Interna-
11 tional President and Executive Council may determine.

**16.7 – Limitation of Responsibility
of International Brotherhood**

1 Strike authorization and/or payment of strike benefits by the
2 International Brotherhood does not constitute responsibility for, authori-
3 zation, or approval of any illegal action or activities of any subordinate
4 body, its officers, or members who are engaged in a strike.

ARTICLE 17

**DISCIPLINARY PROCEEDINGS,
TRIALS, AND APPEALS**

17.1 – Offenses

1 The basis of charges against officers or members of a subordinate body,
2 against officers of the International Brotherhood, or against a subordinate
3 body itself shall include, but shall not be limited to, any one or more of the
4 following offenses:

5 **17.1.1.** Violation of any provision of this Constitution or the By-Laws of a
6 subordinate body or failure to perform duties or functions specified therein;

7 **17.1.2.** Refusal to follow lawful directives, orders, or regulations of the
8 International President, the Executive Council, or officers of a subordinate
9 body;

10 **17.1.3.** Engaging in any subversive activity, such as fostering or abetting
11 any Communist, Fascist, or other totalitarian movement;

12 **17.1.4.** Maintaining membership in another labor organization that
13 adversely affects the interest of this International Brotherhood;

14 **17.1.5.** Engaging in any activity or course of conduct contrary or detri-
15 mental to the welfare or best interest of the International Brotherhood or of
16 a subordinate body;

17 **17.1.6.** The commission of any unlawful, dishonest, dishonorable, or
18 discreditable act in connection with union duties or responsibilities;

19 **17.1.7.** Mishandling, misappropriating, or otherwise misusing union
20 funds or properties;

21 **17.1.8.** Willfully making any false or fraudulent report required under
22 this Constitution;

23 **17.1.9.** Encouraging or engaging in dual unionism or in a secessionist
24 movement;

25 **17.1.10.** Willfully slandering or libeling a member of the International
26 Brotherhood or falsely or maliciously attacking the character, impugning
27 the motives, or questioning the integrity of any member of the International
28 Brotherhood;

29 **17.1.11.** Engaging in or fomenting any acts or course of conduct which
30 are inconsistent with the duties, obligations, and fealty of the members of a
31 trade union and which violate sound trade union principles or which con-
32 stitute a breach of any existing collective bargaining agreement;

33 17.1.12. Failure to exercise responsibility toward the International
34 Brotherhood as an institution or engaging in conduct which would interfere
35 with the International Brotherhood's performance of its obligations;
36 17.1.13. Threatening with violence or assaulting any union member or
37 officer;
38 17.1.14. Causing disruption or disturbance at a union meeting or union
39 office, interfering with the orderly conduct thereof, or appearing at any such
40 meeting or office in an intoxicated condition;
41 17.1.15. Failure to obey orders, directions, or rulings of the presiding offi-
42 cer of any union meeting;
43 17.1.16. Obtaining or assisting in obtaining membership through fraud-
44 ulent means or by misrepresentation. Violation of this subsection shall be
45 punishable by revocation of membership;
46 17.1.17. Making known the business of the International Brotherhood or
47 any subordinate body to persons not entitled to such knowledge;
48 17.1.18. Filing charges of violations of this Constitution maliciously or
49 wantonly;
50 17.1.19. No member employed by any employer shall accept any con-
51 tract work;
52 17.1.20. No member shall accept employment with a nonunion contrac-
53 tor without prior written approval by the Business Manager or where there
54 is no Business Manager, by the President of the Local Lodge having the
55 jurisdiction over the territory.

17.2 – Charges and Notice of Trial

17.2.1 – Charges

1 Charges of violation of this Constitution or subordinate body By-Laws
2 may be made by any member in good standing who has knowledge of
3 the alleged violation. Charges shall at all times be made in good faith and
4 within sixty (60) days after the date that the alleged violation occurred.
5 However, this time limit will not apply to those charges wherein the basic
6 facts and evidence pertaining thereto could not be accumulated or made
7 known within that period of time. In no event will any charge be
8 processed which is based on an alleged violation occurring more than
9 one (1) year prior to the filing of such charge except that this time limit
10 shall not apply to any charge alleging a violation of Article 17.1.7. Failure
11 to file charges in good faith or malicious or wanton filing of charges shall
12 subject the charging party to disciplinary action and punishment.
13 Charges shall be set forth in writing and a copy of the charges served
14 upon the individual or body being charged by registered or certified mail,
15 with return receipt requested to last-known address, and a copy thereof
16 filed with the President of the Local Lodge and the International
17 President. Charges shall set forth with sufficient definiteness to inform
18 the accused of the nature and circumstances of the violations complained

19 of, together with a reference to the particular subsection of Article 17.1
20 under which the charges were brought. If the charges are not filed in con-
21 formance with this paragraph, the International President is authorized
22 to dismiss said charges. Article 17 proceedings exist solely to address and
23 remedy serious violations of this Constitution or subordinate body By-
24 Laws. Accordingly, referral disputes shall be resolved through the referral
25 disputes procedure, while contractual violations shall be resolved under
26 the grievance procedure of the applicable labor agreement. Other dis-
27 putes, such as personal or political disputes or differences shall be
28 addressed through the Grievance Adjustment Procedures provided in
29 Article 5.7 of this Constitution.

17.2.2 – Notice of Trial

30 Upon receipt of notification from the International President that
31 charges have been properly filed, the Lodge President or the International
32 President (where the International President has assumed jurisdiction)
33 will, within a reasonable period of time, establish a date for an informal
34 hearing between the parties directly involved, and a sincere effort will be
35 made to resolve the matter at this point. If the charges are disposed of as a
36 result of this informal hearing, the agreement reached by the parties shall
37 be reduced to written form, signed by the parties directly involved there-
38 in and witnesses thereto. However, if the matter is not concluded on such
39 informal basis, the Local Lodge President or the International President, as
40 the case may be, shall fix a time for trial which shall be not later than forty-
41 five (45) days following receipt of such charges and shall give the accused
42 at least fifteen (15) days notice of the time and place of a hearing on such
43 charge at which such accused shall appear and defend. If the accused fails
44 to appear, unless postponement has been granted for good cause, the trial
45 shall nevertheless proceed. Similar notice shall be given the charging party
46 and all directly involved parties.

17.2.3 – Dismissal of Charges

47 In circumstances where the International President determines that it
48 is in the best interest of the International Brotherhood and its members,
49 the International President may direct that the charges be dismissed as
50 lacking in merit, as involving minor disputes, or for such other reasons as
51 the International President deems appropriate; that any or all time limits
52 for handling said charges be held in abeyance for a reasonable period of
53 time; or that the dispute be resolved in some other forum or in some other
54 manner deemed by the International President to be appropriate under
55 the circumstances; provided, however, that no penalty may be assessed
56 against the accused member over that member's objection absent a for-
57 mal hearing as provided for in this Article. If not satisfied with the
58 International President's decision, the Charging Party may appeal, in

59 writing, by registered or certified mail, to the Executive Council, provid-
60 ing the appeal is received by the Executive Council within fifteen (15)
61 days from the date of the International President's decision. In cases of
62 appeal, the International President will postpone further action on the
63 dispute pending final decision from the Executive Council. The decision
64 by the Executive Council shall be final and binding.

17.3 – Trial Bodies

17.3.1 – Local Lodge Jurisdiction

1 Local Lodges shall have jurisdiction to hear charges, through a trial
2 body, involving their members or their officers, or members working or
3 seeking work in their jurisdiction if the offense is there committed, sub-
4 ject to the provisions of Articles 17.2.3 and 17.3.2. The trial body of the
5 Local Lodge shall consist of a panel of three of the elected officers of such
6 Lodge as decided by the elected officers. No charging or other directly
7 involved party shall sit as a member of a trial body, and any member of
8 a trial body may be challenged for cause and, if the trial body finds cause
9 to exist, such member shall vacate that position and the President shall fill
10 such vacancy by appointment. In the event such vacancy cannot be filled
11 by a Local Lodge officer, the Local Lodge shall elect from among the
12 members of the Local Lodge to fill such vacancy.

17.3.2 – Executive Council Jurisdiction

13 The Executive Council shall have jurisdiction to hear charges of viola-
14 tions of this Constitution by any member or subordinate body of the
15 International Brotherhood if in the judgment of the International
16 President the circumstances warrant. It can exercise such jurisdiction
17 even though charges are pending before a Local Lodge. The Executive
18 Council shall have exclusive jurisdiction to hear charges against subordi-
19 nate bodies and against International Officers. Any member of the
20 Executive Council who is directly involved in the proceedings so that the
21 Council member cannot function in an impartial manner shall not partic-
22 ipate in the proceedings or be subject to challenge for cause.

17.4 – Trial Procedure

17.4.1 – Conduct of Hearing

1 In all hearings, trials, and other matters which are to be decided and
2 acted upon by the Executive Council, the conduct of the hearing and the
3 taking of evidence may be performed by a member or officer of the
4 Brotherhood or by a panel duly appointed by the International President
5 to act in the matter. The required report to the Executive Council, copy of
6 the record made at the hearing or trial, together with exhibits will be for-

7 warded to International Headquarters and the decision in the case shall
8 be made by the Executive Council based on such report and record.

17.4.2 – Minutes of Proceedings

9 At every hearing, whether conducted on the Local or International level,
10 minutes of the proceedings shall be kept together with a summary of the
11 evidence and the testimony of witnesses. If a verbatim record is desired by
12 any party to the proceedings, the union shall provide same and such party
13 shall bear the costs of same, and other directly involved parties desiring a
14 copy shall pay the costs of such copy.

17.4.3 – Representation and Cross Examination

15 Either party shall have the right to confront and cross-examine wit-
16 nesses and to be represented only by a member except one in a supervi-
17 sory capacity. No non-members, other than witnesses and official
18 reporter, if any, shall be permitted to attend the hearing. Witnesses, except
19 when testifying, shall be excluded upon the request of an opposing party
20 or at the discretion of the trial body or Hearing Officer. The trial body or
21 Hearing Officer shall have authority to limit the attendance of members
22 if necessary to preserve order.

17.4.4 – Decision of Trial Body

23 As soon as possible, but not more than twenty-one (21) days after the
24 conclusion of the trial, or in cases where verbatim transcript is involved
25 within twenty-one (21) days after receipt of transcript, unless otherwise
26 determined by the International President, the trial body shall make a deci-
27 sion in writing and send a copy to the accused and other directly involved
28 parties by registered or certified mail, with return receipt requested to last-
29 known address. If the accused is found guilty, the trial body shall establish
30 the penalty and set it forth in its decision. Penalties should be imposed
31 according to the nature of the offense.

17.5 – Penalties

17.5.1 – Types of Penalties

1 Penalties for violations of this Constitution may include reprimand,
2 fine, suspension from office or from membership rights for a stated peri-
3 od, suspension from right to run for office for a stated period, suspension
4 from right to attend meetings, or if permitted to attend from the right to
5 speak or vote at meetings for a stated period, revocation of Withdrawal
6 Card, expulsion from membership, suspension or revocation of charter, or
7 a combination of any of the foregoing.

17.5.2 – Notification

8 Subordinate bodies which have imposed any penalty under this
9 Article shall immediately notify the International President and
10 International Secretary-Treasurer thereof in writing.

17.5.3 – Removal from Premises

11 Any person violating the provisions of Article 17.1.14 shall be required
12 to leave the premises. If the conduct involved warrants further action, it
13 shall be necessary to prefer charges and have a hearing conducted there-
14 on as provided in this Article.

17.6 – Appeals

17.6.1 – Written Appeal to Executive Council

1 The decisions of Local Lodge trial bodies may be appealed to the
2 Executive Council by any party adversely affected by such decision.
3 Appeals shall be in writing and filed with the International President by
4 registered or certified mail to be received by the International President
5 within fifteen (15) days of the date the trial body decision is mailed and
6 shall state the basis for the appeal. Pending action on any appeal, all penal-
7 ties that might have been prescribed shall continue in effect, including pay-
8 ment of fines, unless otherwise directed by the International President.

17.6.2 – Disposal of Appeal

9 The Executive Council may dispose of the appeal as the circumstances
10 and record warrant, including remand for further proceedings or retrial,
11 including alteration, change, or modification of penalty.

17.6.3 – Decisions Involving an International Officer

12 Decisions of the Executive Council shall be final, except that decisions
13 of the Executive Council finding an International Officer guilty of charges
14 of violations of the Constitution may be appealed to the next Convention.
15 If any such Officer desires to appeal, that Officer shall file such appeal
16 with the International Secretary-Treasurer within thirty (30) days after
17 receiving the decision.

ARTICLE 18

TRUSTEESHIPS

18.1 – Authority For

1 The Executive Council shall have authority to place any subordinate
2 body under trusteeship if it is satisfied after notice and hearing that a

3 trusteeship is warranted and the interests of the International
4 Brotherhood so require. If it appears that a trusteeship may be necessary,
5 such hearing shall be conducted as provided for in Article 17.4.1. The
6 subordinate body involved shall be given at least ten (10) days written
7 notice of such trusteeship hearing. Interested officers and members,
8 including representatives of the International Brotherhood, may appear
9 at such hearing to present evidence as to why a trusteeship should or
10 should not be imposed. Grounds for the imposition of trusteeships shall
11 include secession or threatened secession; dissolution or threatened dis-
12 solution; dissipation or loss of funds or assets or financial malpractice or
13 corruption or threat thereof; violation or threatened violation of collective
14 bargaining agreements; the deprivation of democratic procedures and
15 other activities constituting a violation of this Constitution and threaten-
16 ing the welfare of the subordinate body membership or the International
17 Brotherhood. If upon the evidence introduced at the trusteeship hearing
18 and all the circumstances the Executive Council is satisfied that a trustee-
19 ship is required, it may impose a trusteeship for such period as it deems
20 reasonably necessary, and place a trustee appointed by the International
21 President in charge of the activities of the subordinate body.

18.2 – Administration of Trusteeship

1 Such trustee shall have the right, upon demand, to all the funds, prop-
2 erties, books, and assets of the trustee body for the period that the trustee
3 is in charge. Such properties shall be held in trust for the benefit of the sub-
4 ordinate body and expended only to the extent necessary for the proper
5 conduct of the affairs of the subordinate body. The trustee shall be ade-
6 quately bonded. The trustee so appointed shall be authorized and empow-
7 ered to remove any or all officers and appoint temporary officers for the
8 duration of the lodge's trusteeship and to remove or replace other repre-
9 sentatives or employees of such trustee body, and to take such other
10 actions as in the trustee's judgment are necessary for the preservation of the
11 subordinate body and its assets, all subject to the direction, instructions,
12 and approval of the International President. Any officers who may be sus-
13 pended by the trustee under the provisions of this section shall surrender
14 to the trustee upon proper receipt therefor, all monies, books, and proper-
15 ties of the subordinate body. Temporarily-appointed officers shall be mem-
16 bers in good standing of such subordinate body. At the termination of the
17 trusteeship, the officers who have been suspended shall resume their
18 offices for the balance of the term unless the trustee, with the approval of
19 the International President and after hearing, determines that any particu-
20 lar officer shall be removed. In the event of such removal, the vacancy shall
21 be filled under the provisions of this Constitution. The trustee shall be
22 empowered to pay all claims which are properly approved if funds there-
23 for are available and in all necessary particulars to conduct the affairs and

24 management of the subordinate body with the assistance of the temporary
25 officers herein provided for until the trusteeship is terminated. Expenses
26 incurred by reason of the trusteeship shall be paid out of the funds of the
27 subordinate body, if they are available, otherwise they shall be borne by the
28 International Brotherhood. During the period of trusteeship, no funds of
29 the trustee body except normal Per Capita Tax and other financial obligations
30 normally payable by subordinate bodies shall be transferred to the
31 International Brotherhood unless the subordinate body is dissolved. Such
32 trusteeship shall be continued no longer than is necessary to coordinate
33 and reorganize the affairs of the subordinate body and shall in all events be
34 concluded as soon as practicable within the judgment of the International
35 President subject to the approval of the Executive Council; provided, however,
36 that the trustee subordinate body shall have the right to appeal to the
37 Executive Council for removal of the trusteeship if it is deemed that such
38 trusteeship has served its purpose. If it becomes necessary to revoke permanently
39 the charter of the subordinate body, then any balance remaining
40 to the credit of the subordinate body and other properties shall be forwarded
41 to the International Secretary-Treasurer.

18.3 – Emergency Power of the International President

1 In any situation in the judgment of the International President, where
2 grounds for the establishment of a trusteeship exist or grounds for suspension
3 of a subordinate body officer exist, and in addition the activities
4 of the subordinate body or of its officers or membership are such as to create
5 an emergency imminently threatening the welfare, funds, or property
6 of the subordinate body, then the International President may summarily
7 place a subordinate body in trusteeship, subject to a subsequent
8 hearing by the Executive Council as set forth in Article 18.1. Such hearing
9 shall be held within fifteen (15) days after the imposition of such emergency
10 trusteeship. If in the International President's judgment the situation warrants,
11 the International President may at any time within thirty
12 (30) days of the imposition of the emergency trusteeship terminate same.
13 In the event the International President does not terminate the emergency
14 trusteeship within thirty (30) days, the Executive Council, as soon as
15 practicable thereafter upon the evidence introduced at the trusteeship
16 hearing and all the circumstances relating thereto, shall take action in
17 accordance with Article 18.1.

ARTICLE 19

DIVISIONS AND COUNCILS

19.1 – Divisions

1 In order to facilitate the orderly administration of the internal opera-

2 tions of the Brotherhood and in recognition of the occupations embraced
3 in its jurisdiction, the membership of this Brotherhood shall be grouped
4 in three (3) broad divisions and twelve (12) subdivisions, as follows:

19.1.1 – Ship Building and Marine

5 Embracing (1) Commercial Yards, (2) Naval Yards, and (3) other
6 Marine Work.

19.1.2 – Construction

7 Embracing (1) Erection, Dismantling, Conversion, Quality Control,
8 and Repair, and (2) Contract Maintenance.

19.1.3 – Industrial Plants or Shops

9 Embracing (1) Production and Maintenance Units, (2) Craft Units (pro-
10 duction), (3) Craft Units (maintenance), (4) Railroad Craft Units (manu-
11 facture, maintenance, and repair of railroad equipment, and infrastruc-
12 ture), (5) Office–Professional–Technical Units, (6) Paramedics, and (7)
13 Diversified Units and Business Equipment.

19.2 – Industry Councils

19.2.1 – Establishment and Affiliation

1 The International President, with the approval of the Executive
2 Council, shall have authority to establish a Council or Conference on an
3 industry-wide basis for any industry other than the construction industry.
4 The International President and Executive Council shall have authority to
5 determine whether particular Lodges shall be required to affiliate and/or
6 remain in affiliation with a particular Council or Conference.

19.2.2 – Council Function

7 It shall be the function of an Industry Council or Conference to coor-
8 dinate activities of Local and District Lodges and of the membership in
9 such industry, to assist in organizational work in such industry, to assist
10 in collective bargaining with a view to establishing uniform rates and
11 conditions in such industry, and in this connection to engage in research
12 and related activities on an industry-wide basis.

19.2.3 – Collective Bargaining

13 The International President and Executive Council shall have authori-
14 ty to require Local Lodges affiliated with an Industry Council or
15 Conference to engage in that type of collective bargaining which will
16 effectively promote the establishment of uniform rates and conditions in
17 the industry and the welfare of the membership.

19.3 – Industrial Councils

19.3.1 – Establishment and Affiliation

1 The International President, with the approval of the Executive
2 Council, shall have authority to establish Industrial Councils on a geo-
3 graphic or trade basis to assist and coordinate in the attainment of the
4 declared purposes and objectives of this International Brotherhood. As a
5 servicing and coordinating body, the Industrial Council shall be empow-
6 ered to engage or assist in organizing efforts within its jurisdiction and in
7 the collective bargaining processes authorized in its By-Laws and may
8 perform such other services and functions as assisting in the administra-
9 tion of collective bargaining agreements, establishing training programs,
10 and engaging in legislative activities as so provided in its By-Laws. The
11 International President and Executive Council shall have authority to
12 determine what Local Lodges shall be required to affiliate and/or remain
13 in affiliation with an Industrial Council.

19.3.2 – By-Laws

14 All Industrial Councils shall adopt By-Laws which shall be approved
15 by the International President before becoming effective. The By-Laws
16 adopted shall set forth the Council's organizational structure, governing
17 principles and policies, including revenue.

ARTICLE 20

CONSTRUCTION DIVISION

20.1 – Establishment and Function

20.1.1 – Establishment

1 There shall be at International Headquarters a Construction Division
2 for the purpose of servicing solely those members who have an employ-
3 ment relation with the construction industry.

20.1.2 – Function

4 It shall be the function of the Construction Division to assist in collective
5 bargaining in the industry, to negotiate and administer all International
6 Brotherhood work jurisdiction agreements with other International unions
7 in the industry, and to engage in research and other related organizational
8 activities to the end of effectively protecting and promoting the interests of
9 members employed in the construction industry.

20.2 – Administration and Conferences

20.2.1 – Administration

1 The Construction Division shall be administered by a Director who shall
2 be appointed by and responsible to the International President. The Director
3 shall recommend and, where justified, the International President shall
4 appoint as many Construction Division representatives as necessary for
5 effective administration of the Division. Said representatives shall be field
6 construction boilermakers except for professional and technical personnel.
7 A fully-staffed and equipped Construction Division support office shall be
8 established in Washington, D.C., to further optimize our effectiveness in
9 dealing with the full range of construction industry problems and to
10 advance the service, representation, and protection of our Construction
11 Lodges and membership.

20.2.2 – Conferences

12 Semi-annual conferences will be held of Construction Lodge Business
13 Managers and area Construction Division representatives. A report of
14 these conferences shall be sent to all Construction Lodge Business
15 Managers. An annual meeting of all Construction Lodge Business
16 Managers and Construction Division representatives shall be held at a
17 location to be determined by the International President at which a report
18 shall be given of Construction Division activities.

20.3 – Revenue

20.3.1 – Construction Division Fund

1 There shall be established a Construction Division Fund, as a special
2 purpose Fund of the International Brotherhood, to finance those Division
3 activities set forth in Article 20.1.2, which shall be administered in accor-
4 dance with provisions of this Constitution.

20.3.2 – Construction Division Field Dues Assessment

5 All members or temporary non-members employed on construction or
6 maintenance work on which field dues are payable shall pay to the
7 Lodge/District in which they are employed a Construction Division Fund
8 field dues working assessment in the amount of one percent (1%) of the
9 gross income received from such employment. This assessment shall be in
10 addition to the Lodge/District established field dues.

20.3.3 – Lodge/District Field Dues Assessment

11 Lodges/Districts with construction jurisdiction shall levy
12 Lodge/District field dues in the amount set forth in approved

13 Lodge/District By-Laws, but such amount shall not be less than three
14 percent (3%) of the gross income of all members or temporary non-
15 members employed on construction or maintenance work in the
16 Lodge's/District's jurisdiction, unless a lesser amount is approved by the
17 International President.

Article 20.3.4 – Combined Minimum Field Dues Assessment

18 The combined minimum field dues assessment in any Lodge/District
19 shall not be less than four percent (4%).

Article 20.3.5 – Transmission of Field Dues Assessment

20 Lodges/Districts with construction jurisdiction shall transmit to the
21 International Secretary-Treasurer for deposit to the account of the
22 Construction Division Fund, the Construction Division Fund field dues
23 assessment amount required by Article 20.3.2 and shall retain for deposit
24 to the account of the Lodge/District the balance of the field dues collected.
25 Such payments shall be made in accordance with procedures established
26 by the International Secretary-Treasurer.

20.3.6 – Minimum Cash Reserve & Annual Adjustment

20.3.6.1 – Suspension of Field Dues Caps and/or Escalator Formulas

27 All Construction Lodge/District field dues caps and/or escalator
28 formulas were suspended effective December 31, 2001.

20.3.6.2 – Minimum Cash Reserve

29 Effective January 1, 2002, all Lodges/Districts with construction
30 jurisdiction shall levy field dues in an amount calculated by the
31 Construction Division to be sufficient to provide the Lodge/District with
32 a minimum two (2) year cash reserve by or before December 31, 2011.

20.3.6.3 – Annual Adjustment

33 Beginning in November 2001 and each November thereafter, the
34 Construction Division shall calculate each Lodge/District field dues
35 assessment. The field dues assessment shall be calculated based upon
36 Liquid Assets and Operating Expenses for the prior fiscal year plus
37 Projected Gain/Loss for the current fiscal year. Any change in field dues
38 shall be implemented on January 1 of the year following the review, and
39 shall be rounded to the nearest one-quarter of one percent (0.25%).

20.3.6.4 – Maximum Dues Increase

40 The maximum annual increase in Lodge/District field dues, in
41 accordance with Article 20.3.6.3, shall be limited to one percent (1%).

20.3.6.5 – Dues Decreases

42 Before any decrease in field dues will be granted, the Lodge/District
43 must maintain a two (2) year cash reserve for at least one (1) fiscal year.

20.3.6.6 – Authority to Change Field Dues Assessment

44 The Executive Council shall, upon recommendation from the respective
45 area International Vice President, be empowered to direct, after proper
46 notification to the Lodge/District, that the Lodge/District field dues
47 assessment shall be adjusted effective January 1st the following year in
48 accordance with the above. The field dues assessment, however, shall not
49 be less than the minimum field dues set forth in Article 20.3.4.

Article 20.3.7 – Emergency Field Dues Assessment Authority

20.3.7.1 – Emergency Field Dues Assessment to Construction Division

50 The Executive Council shall be empowered between Conventions to
51 levy an emergency field dues assessment of up to one-quarter of one
52 percent (0.25%) of gross income for a period not to exceed the start of the
53 Convention that follows the enactment of the emergency assessment. This
54 emergency assessment shall be in addition to the minimum field dues set
55 forth in Article 20.3.4.

20.3.7.2 – Emergency Field Dues Assessment to Lodge/District

56 The Executive Council shall be empowered between Conventions to
57 levy an emergency field dues assessment to be retained by the
58 Lodge/District in an amount equal to the assessment levied pursuant to
59 Article 20.3.7.1. This assessment shall be for a period not to exceed the
60 duration of the emergency assessment for the Construction Division. This
61 emergency assessment shall be in addition to the minimum field dues set
62 forth in Article 20.3.4.

ARTICLE 21

NATIONAL TRANSIENT DIVISION

21.1 – Establishment and Function

21.1.1 – Establishment

1 There shall be a National Transient Division for the purpose of giving
2 status to and servicing those members who by the transient nature of
3 their employment have no fixed permanent place of employment in the
4 construction industry.

21.1.2 – Function

5 It shall be the function of the National Transient Division to assist in
6 negotiating the NTL Labor Agreement and to engage in research and other
7 related organizational activities to the end of effectively protecting and pro-
8 moting the interests of the National Transient membership and the organi-
9 zational purposes and objectives set forth in Article 1.2.

21.2 – Administration and Representatives

21.2.1 – Administration

1 The National Transient Division will be administered by a Director who
2 will be appointed by and responsible to the International President.

21.2.2 – Representatives

3 The Director shall recommend and, where justified, the International
4 President shall appoint as many Division representatives as necessary to
5 effectively service the National Transient membership in the national area in
6 which they are employed.

21.3 – Revenue

21.3.1 – National Transient Division Fund

1 There shall be established a National Transient Division Fund, as a
2 special purpose of the International Brotherhood, to finance those
3 Division activities set forth in Articles 21.1.2 and 21.3.3, which shall be
4 administered in accordance with provisions of this Constitution.

21.3.2 – Field Dues Assessment

5 The National Transient Division Fund will be financed from field dues
6 payable on all work performed under the NTL Labor Agreement. Said dues
7 shall be established in accordance with Articles 20.3.2 and 20.3.3.

21.3.3 – Use of Funds

8 The National Transient Division Fund will be used to pay the salary,
9 allowances, and expenses approved by the International President
10 incurred by National Transient Division representatives in the perform-
11 ance of assigned organizational responsibilities.

ARTICLE 22

RAILROAD DIVISION

22.1 – Establishment and Function

22.1.1 – Establishment

1 There shall be a Railroad Division for the purpose of giving status to
2 and servicing solely those members who have an employment relation-
3 ship with the railroad industry in the United States.

22.1.2 – Function

4 It shall be the function of the Railroad Division to negotiate and
5 administer all labor agreements in the industry, and to engage in
6 research and other related organizational activities to the end of effec-
7 tively protecting and promoting the interests of members employed in
8 the railroad industry.

22.2 – Administration and Representatives

22.2.1 – Administration

1 The Railroad Division will be administered by a Director who will be
2 appointed by and responsible to the International President.

22.2.2 – Representatives

3 The Director shall recommend and, where justified, the International
4 President shall appoint as many Division representatives as necessary for
5 effective administration of the Division. Said representatives shall be
6 Railroad Boilermakers or Blacksmiths except for professional and techni-
7 cal personnel.

22.3 – Revenue

22.3.1 – Railroad Division Fund

1 There shall be established a Railroad Division Fund, as a special pur-
2 pose Fund of the International Brotherhood, to finance those Division
3 activities set forth in Article 22.1.2 and 22.3.3, which shall be administered
4 in accordance with provisions of this Constitution.

22.3.2 – Railroad Division Dues

5 The Railroad Division Fund will be financed from Railroad Division
6 dues payable by all members gainfully employed in the railroad industry
7 in the United States. Effective September 1, 2006, Railroad Division dues
8 shall be Twenty-Five Dollars and Fifty Cents (\$25.50) per month. This
9 amount shall be increased by Fifty Cents (\$0.50) each January 1 thereafter.

22.3.3 – Use of Funds

10 Salary and expenses of the Division representative shall be established
11 by the International President in accordance with Article 7.4. The
12 Railroad Division Fund shall be used to pay the salaries, per diem, and
13 all other itemized expenses approved by the International President
14 incurred by each Division representative in the performance of the repre-
15 sentative's servicing responsibilities to the Railroad Division members of
16 the International Brotherhood in the United States and such other expen-
17 ditures as are authorized by provisions of this Article.

22.3.4 – Annual Report

18 The International Secretary-Treasurer shall make an annual report of
19 the Railroad Division Fund to the Local Lodges with copies to the
20 Division Director.

ARTICLE 23

CEMENT, LIME, GYPSUM, AND ALLIED WORKERS DIVISION

23.1 – Establishment and Function

23.1.1 – Establishment

1 There shall be a Cement, Lime, Gypsum, and Allied Workers Division for
2 the purpose of giving status to and servicing those members who have an
3 employment relationship with those industries. All local unions of the United
4 Cement, Lime, Gypsum, and Allied Workers International union that were in
5 existence at the time the union merged with the International Brotherhood of
6 Boilermakers, Iron Ship Builders, Blacksmiths, Forgers, and Helpers will be
7 affiliated with the Division. New members organized within the jurisdiction
8 of the Division, whether placed in an existing Local Lodge of the Brotherhood
9 or chartered as a new Local Lodge, will be affiliated with the Division.

23.1.2 – Function

10 It shall be the function of the Cement, Lime, Gypsum, and Allied
11 Workers Division to assist in negotiating and administering all collective
12 bargaining agreements in the industry, and to engage in research and

13 other related organizational activities to the end of effectively protecting
14 and promoting the interests of members employed in the cement, lime,
15 gypsum, and allied workers industry.

23.2 – Administration, Representatives, and Conferences

23.2.1 – Administration

1 The Cement, Lime, Gypsum, and Allied Workers Division shall be
2 administered by the International Vice President-at-Large and a Director
3 of the Division, both of whom shall be responsible to the International
4 President. The Director of the Division shall be appointed by the
5 International President.

23.2.2 – Representatives

6 The International Vice President-at-Large shall recommend and, where
7 justified, the International President shall appoint as many Division rep-
8 resentatives as necessary for effective administration of the Division.

23.2.3 – Conferences

9 Conferences will be called on a national or area basis when determined
10 necessary by the International Vice President-at-Large and approved by the
11 International President. In order to carry out the Division’s coordinated bar-
12 gaining and service policies, industry conferences may be established.

23.3 – Revenue

23.3.1 – Cement, Lime, Gypsum, and Allied Workers Division Fund

1 There shall be established a Cement, Lime, Gypsum, and Allied
2 Workers Division Fund, as a special purpose Fund of the International
3 Brotherhood, to finance those Division activities set forth in Articles 23.1.2
4 and 23.3.3, which shall be administered in accordance with provisions of
5 this Constitution.

23.3.2 – Dues and Per Capita Tax

6 The Cement, Lime, Gypsum, and Allied Workers Division Fund will be
7 financed by members employed in the industry in the following manner:

23.3.2.1 – Lodge Minimum Monthly Dues

8 Lodges in the Cement, Lime, Gypsum, and Allied Workers Division
9 shall charge minimum monthly dues in an amount sufficient to satisfy
10 International Per Capita Tax payments and Cement Division dues.

23.3.2.2 – Cement Divison Dues and Per Capita Tax

11 Effective January 1, 2007, all members employed in the Cement, Lime,
12 Gypsum, and Allied Workers industry shall pay to the Lodge in which
13 they are employed a Cement, Lime, Gypsum, and Allied Workers
14 Division dues as set forth in the schedule below. Such Division dues shall
15 be in addition to the Lodge's established monthly dues.

16 Effective Jan. 1, 2007 — 0.55 percent of straight time hourly earnings

17 Effective Jan. 1, 2008 — 0.60 percent of straight time hourly earnings

18 Effective Jan. 1, 2009 — 0.65 percent of straight time hourly earnings

19 The Lodge shall transmit to the International Secretary-Treasurer a
20 monthly Per Capita Tax plus the Division dues set forth above. In the
21 event Division expenditures exceed Division revenue, the Executive
22 Council shall be empowered between Conventions to levy annually an
23 emergency dues assessment up to a maximum of 0.05 percent of straight-
24 time, hourly earnings. This emergency assessment shall be in addition to
25 the Division dues set forth above.

23.3.2.3 – District 11 Dues and Per Capita Tax

26 In the case of Lodges in District 11, the base rate set forth herein shall be
27 the negotiated base rate, excluding probationary or hiring-in rates; provid-
28 ed, however, the negotiated base rates shall not be less than the base rates
29 in effect on July 1, 2001. Lodges in District 11 shall transmit to the
30 International Secretary-Treasurer a monthly Per Capita Tax payment in the
31 amount of 1.65 times the base rate. The Per Capita Tax payment submitted
32 by District 11 Lodges shall be distributed as follows: 1. International Per
33 Capita Tax as provided in Article 12.2 shall be deducted; 2. a maximum of
34 0.65 times the base rate shall be remitted to District 11; and 3. any remain-
35 ing balance shall be deposited in the Cement, Lime, Gypsum, and Allied
36 Workers Division Fund.

23.3.3 – Use of Funds

37 The Cement, Lime, Gypsum, and Allied Workers Division Fund will
38 be used to pay the salary, allowances, and expenses approved by the
39 International President incurred by Division representatives in the per-
40 formance of assigned organizational responsibilities.

ARTICLE 24

**STOVE, FURNACE, ENERGY, AND
ALLIED APPLIANCE WORKERS DIVISION**

24.1 – Establishment and Function

24.1.1 – Establishment

1 There shall be a Stove, Furnace, Energy, and Allied Appliance
2 Workers Division for the purpose of giving status to and servicing those
3 members who have an employment relationship with those industries.
4 All Locals of the Stove, Furnace, and Allied Appliance Workers that were
5 in existence at the time the union merged with the International
6 Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers,
7 and Helpers will be affiliated with the Division. New members organ-
8 ized within the jurisdiction of the Division, whether placed in an exist-
9 ing Local Lodge of the Brotherhood or chartered as a new Local Lodge,
10 will be affiliated with the Division.

24.1.2 – Function

11 It shall be the function of the Stove, Furnace, Energy, and Allied
12 Appliance Workers Division to assist in collective bargaining, to negoti-
13 ate and administer collective bargaining agreements, and to engage in
14 research and other related organizational activities to the end of effec-
15 tively protecting and promoting the interests of the members of the char-
16 tered, subordinate Local Lodges affiliated with the Stove, Furnace,
17 Energy, and Allied Appliance Workers Division.

24.2 – Administration, Representatives, and Conferences

24.2.1 – Administration

1 The Stove, Furnace, Energy, and Allied Appliance Workers Division
2 shall be administered by one (1) International Vice President-at-Large and
3 a Director, who shall be responsible to the International President. The
4 Director of the Division shall be appointed by the International President.

24.2.2 – Representatives

5 The International Vice President-at-Large shall recommend, and where
6 justified, the International President shall appoint, as many Division rep-
7 resentatives as necessary for effective administration of the Division.

24.2.3 – Conferences

8 Conferences will be called on a national or area basis when deter-
9 mined necessary by the International Vice President-at-Large and
10 approved by the International President. In order to carry out the

11 Division's coordinated bargaining and service policies, industry confer-
12 ences may be established.

ARTICLE 25

DISTRICT LODGES

25.1 – Formation

1 In localities where two (2) or more Local Lodges are in existence and
2 in industries where the interests of the International Brotherhood so
3 require, District Lodges composed of such Local Lodges may be formed
4 at the direction of the International President and Executive Council. The
5 International President and Executive Council shall determine what
6 Local Lodges are eligible for affiliation with the District and shall also
7 determine whether or not a Local Lodge shall affiliate with or remain in
8 affiliation with the District Lodge. All District Lodges shall adopt By-
9 Laws which shall be approved by the International President before
10 becoming effective.

25.2 – Charter and Jurisdiction

1 When it is determined that a District Lodge shall be formed, such Lodge
2 shall be regularly chartered as a subordinate body of the International
3 Brotherhood. Each charter shall set forth the allocated geographical and/or
4 trade jurisdiction of such District Lodge, and the International President and
5 Executive Council shall have full authority thereafter to change, alter,
6 enlarge, reduce, or cancel such jurisdiction.

25.3 – Purposes

1 The District Lodge shall be primarily an administrative, servicing, and
2 coordinating body. Its principal function shall be to provide mutual pro-
3 tection and harmonious relationships between affiliated Lodges and to
4 coordinate and assist in the attainment of the economic and other objec-
5 tives of affiliated Lodges. In pursuance of the foregoing purposes, the
6 District Lodge shall be empowered to engage or assist in organizing
7 efforts within its jurisdiction and in the collective bargaining process as
8 authorized in its By-Laws, and it may perform other services and func-
9 tions such as settling grievances and disputes within its jurisdiction,
10 establishing training programs, and engaging in legislative activities if so
11 provided in its By-Laws.

25.4 – Government and Meetings

25.4.1 – District Lodges

1 District Lodges shall be governed by a convention of delegates from

2 affiliated Local Lodges as hereinafter set forth, which convention shall
3 meet quadrennially. Between such District Lodge conventions, the
4 District Lodge shall be governed by a District Council consisting of three
5 (3) or more of its officers as determined by the By-Laws of the District
6 Lodge, such Council members to be elected at the convention by a major-
7 ity vote of the delegates there assembled. Such Council shall meet at least
8 semi-annually or as otherwise specified in the District Lodge By-Laws.

25.4.2 – Term of Office – United States

9 The term of all officers of District Lodges shall be in accordance with
10 approved District Lodge By-Laws, but in no event in excess of four (4) years.

25.4.3 – Term of Office – Canada

11 The term of office of District Lodges shall be for five (5) years from July
12 1st of such election year (2003) and until their successors are elected and
13 assume office. There shall be no deviation from this unless federal or
14 provincial laws dictate otherwise.

25.5 – Representation and Establishment of By-Laws

1 Representation of affiliated Local Lodges in the District Lodge con-
2 vention shall be obtained by the election by secret ballot of a delegate or
3 delegates to such District Lodge convention by each of the affiliated Local
4 Lodges, the number of such delegates to be determined by the By-Laws
5 of the District Lodge; provided, however, that each affiliated Local Lodge
6 shall have the right to elect the same number of delegates to the District
7 convention, each delegate to have equal vote and equal representation in
8 the District convention unless otherwise provided for in the approved
9 District Lodge By-Laws. Eligibility to serve and procedure for nomina-
10 tion and election of delegates to District Lodge conventions shall be the
11 same as provided for delegates to International Brotherhood
12 Conventions under Articles 2.3 and 2.4, other than time of nomination
13 and election meeting and unless otherwise specified in approved District
14 Lodge By-Laws. Upon the formation of a District Lodge the original By-
15 Laws shall be formulated at a convention of an equal number of repre-
16 sentatives elected by secret ballot by each Local Lodge affiliated with the
17 District Lodge subject to the approval of the International President. By-
18 Laws of District Lodges may thereafter be amended by majority action of
19 the delegates at a District Lodge convention subject to approval by the
20 International President. By-Laws, or any amendment thereto, shall not be
21 in conflict with any provision of this Constitution. Following the adop-
22 tion of this Constitution, all provisions of District Lodge By-Laws which
23 are in conflict with the provisions of this Constitution shall be deemed
24 null and void and each District Lodge Council shall promptly make such
25 amendments to the District Lodge By-Laws as are necessary to conform

26 with this Constitution and submit such amendments to the International
27 President for approval.

25.6 – Officers

25.6.1 – Mandatory Officers

1 The officers of a District Lodge shall be as provided in its approved By-
2 Laws; provided, however, that there shall be a President, Vice President,
3 Secretary-Treasurer, Recording Secretary, Inspector, and a Board of Trustees
4 comprised of three (3) members (one of whom shall be designated
5 Chairman as provided in the By-Laws), and a Business Manager (or the
6 equivalent where a different title is used) where one is required and can be
7 supported on a full- or part-time basis as a salaried officer of the District
8 Lodge. A Lodge may combine offices where a combination of duties and
9 responsibilities is compatible, if prior approval to do so is granted in writing
10 by the International President. The officers shall be selected by majority
11 vote of the delegates to such District Lodge in convention assembled
12 unless otherwise provided for in the approved District Lodge By-Laws and
13 their duties shall be as prescribed in such District Lodge By-Laws provided
14 that such duties shall not be inconsistent with the duties of comparable
15 Local Lodge officers. Other positions in the District Lodge may be filled by
16 election or appointment as determined by this Constitution or District
17 Lodge By-Laws, except that Assistant Business Managers, Dispatchers,
18 Stewards, or other full- or part-time salaried representatives and office help
19 shall be appointed or dismissed by the elected officer under whom they are
20 to work and who is primarily held responsible under this Constitution for
21 the performance of the appointee’s official duties; however, such positions
22 are not to be designated or considered offices as outlined above.

25.6.2 – Designated Title

23 In District Lodges, the title of District Representative and/or Executive
24 Secretary may be used to designate the combined office of District Lodge
25 Business Manager and Secretary-Treasurer.

25.7 – Revenue

1 The revenue of District Lodges shall be derived from Per Capita Tax pay-
2 ments made by the Local Lodges affiliated with it and/or from field dues
3 paid directly to the District Lodge by any field construction worker over
4 whom it has jurisdiction. The amount of such Per Capita Tax and dues shall
5 be prescribed in the approved By-Laws of such District Lodge. Any addi-
6 tional source of revenue shall also be set forth in the approved By-Laws.

7 Failure of any Local Lodge affiliated with the District Lodge to pay its
8 Per Capita Tax or other financial obligations shall be grounds for revoca-
9 tion of its charter or other disciplinary action.

25.8 – Reporting

1 The books of the District Lodge shall be audited quarterly and copies
2 of such audit shall be submitted to the affiliated Local Lodges and to the
3 International Secretary-Treasurer.

ARTICLE 26

LOCAL LODGES

26.1 – Formation

1 Thirty-five (35) or more persons residing in the United States or
2 Canada, or in territories or possessions thereof, possessing qualifications
3 required by the International Brotherhood Constitution may apply for
4 and be granted a charter for the establishment of a Local Lodge. Each
5 such charter if granted shall state the work, location, and geographical
6 jurisdiction of such Local Lodge.

26.2 – Local Lodge By-Laws – Duty to Adopt

1 Unless excused by the International President, Local Lodges shall adopt
2 By-Laws specifying the rules and regulations which, together with this
3 Constitution, will govern the conduct of the Local Lodge. Such By-Laws
4 shall not be inconsistent nor in conflict with this Constitution. The proce-
5 dure for adoption of Local Lodge By-Laws shall conform to the procedure
6 for amendment of Local Lodge By-Laws as provided by Article 26.3.

26.3 – Procedure for Adoption or Amendment of Local Lodge By-Laws

26.3.1 – Opening for Amendment

1 Local Lodge By-Laws may be opened for amendment only by majori-
2 ty action of a Local Lodge at a regular meeting; provided, however, that
3 Local Lodge By-Laws may be opened for amendment no more than once
4 in any twelve (12) month period from the stamped date of approval by
5 the International President or unless otherwise directed by the
6 International President or Executive Council.

26.3.2 – Monetary Amendments

7 A proposed amendment for any change in the rate of initiation or rein-
8 statement fees, monthly dues, field dues, salary adjustments (including
9 fringe benefits; i.e., pension, annuity, health & welfare, etc.), expenses or
10 allowances, or the levying of a special assessment shall be made only in
11 accordance with the following procedure.

12 Reasonable notice shall be given to the membership at least fifteen (15)
13 days prior to the meeting at which the membership will consider the

14 question of whether or not such dues, initiation or reinstatement fees,
15 salary adjustments (including fringe benefits; i.e., pension, annuity,
16 health & welfare, etc.), expenses or allowances, or assessments shall be
17 changed or levied. The notice shall indicate that an adjustment or assess-
18 ment is to be voted on, and shall be given in such a way as to be reason-
19 ably calculated to reach the entire membership of the Local Lodge. A
20 majority vote by secret ballot shall be necessary for adoption. Such meet-
21 ing may be regular or special.

26.3.3 – All Other Amendments

22 For all other amendments to the By-Laws the procedure shall be as follows:

26.3.3.1 – Appointment of Committees

23 The Local Lodge President shall appoint a Committee on By-Laws
24 (where one does not already exist) of not less than three (3) nor more than
25 seven (7) members, unless otherwise approved by the International Presi-
26 dent. The members of the By-Laws Committee shall elect a Chairman
27 from among the By-Laws Committee.

26.3.3.2 – Notice of Amendment or Adoption

28 The membership shall be notified that the By-Laws will be amended
29 or adopted at the next three (3) regular meetings. The By-Laws
30 Committee at the first regular meeting shall request the membership for
31 suggested amendments, and such amendments as are suggested will be
32 considered by the By-Laws Committee, such amendments to be present-
33 ed to the Secretary-Treasurer who will turn them over to the By-Laws
34 Committee. At the second regular meeting, the By-Laws Committee shall
35 report proposed amendments for discussion, adoption, rejection, or
36 amendment. The Committee on By-Laws shall then perfect the language
37 of the amendments or By-Laws adopted at the second regular meeting
38 and report same back in their entirety to the third regular meeting for
39 final action without further amendment, or, upon the direction of the
40 International President, submit the amendments or By-Laws in written
41 form to the membership for an all-mail ballot under procedures outlined
42 by the International President.

26.3.3.3 – Secret Ballot

43 A majority vote by secret ballot of those members voting at such third
44 regular meeting shall be necessary for final adoption.

26.3.4 – Approval by International President

45 Adopted By-Laws or amendments shall be submitted to the

46 International President for approval or modification if said By-Laws are
47 in violation of this Constitution or applicable law and shall become effective
48 only after such approval is given by the International President.

26.3.5 – Availability to Membership

49 Copy of the approved By-Laws or amendments will be made available
50 to the membership.

26.4 – Local Lodge Officers and Their Duties

1 The officers of each Local Lodge shall consist of a President, Vice
2 President, Secretary-Treasurer, Recording Secretary, Inspector, Board of
3 Trustees comprised of three (3) members (one of whom shall be
4 Chairman by virtue of receiving the highest vote cast), and Business
5 Manager (or the equivalent) where one is required and can be supported
6 on a part- or full-time basis as a salaried officer of the Local Lodge. A
7 Lodge may combine offices where a combination of duties and responsibilities
8 are compatible, if prior approval to do so is granted by the
9 International President. Other positions in the Lodge may be filled by
10 election or appointment as determined by this Constitution or Local
11 Lodge By-Laws, except that Assistant Business Managers, Dispatchers,
12 Stewards, or other full- or part-time salaried representatives and office
13 help shall be appointed or dismissed by the elected officer under whom
14 they are to work and who is primarily held responsible under this
15 Constitution for the performance of the appointee's official duties; however,
16 such positions are not to be designated or considered offices as outlined
17 above. Approval by the International President shall be necessary to
18 appoint Assistant Business Managers. When approval is granted, the
19 Business Manager shall furnish the International President with the name
20 and register number of the member appointed.

26.5 – Duties of the President

1 It shall be the duty of the President to preside over and preserve order at
2 all regular and special meetings; appoint all committees not otherwise provided
3 for in this Constitution or in Local Lodge By-Laws; see that all officers,
4 with the exception of Business Manager or Business Manager/Secretary-
5 Treasurer, perform their respective duties; enforce all fines and penalties,
6 and see that this Constitution and Local Lodge By-Laws and regulations
7 and all instructions received from the International President are complied
8 with. The President shall decide all questions of order subject to this
9 Constitution and Local Lodge By-Laws. Unless otherwise provided in
10 approved By-Laws, the President shall countersign all checks properly
11 drawn on the treasury; provided, however, that where circumstances
12 warrant, the International President is authorized to make exceptions to
13 the foregoing. In case of a tie, the President may cast the deciding vote,

14 but shall have the right to vote in any election of Lodge officers or dele-
15 gates or on any other matter voted on by secret ballot.

26.6 – Duties of the Vice President

1 It shall be the duty of the Vice President to assist the President in the
2 performance of the President’s duties and to obligate new members. In
3 the absence of the President, the Vice President shall assume the duties
4 and powers of the President.

26.7 – Duties of the Secretary-Treasurer

26.7.1 – General Duties

1 The Secretary-Treasurer shall receive all dues, field dues, District dues,
2 fines, assessments, and all monies received from any source for the benefit of
3 the Lodge (except such revenues as are payable to District Lodges directly
4 under District Lodge By-Laws with which the Local Lodge may be affiliat-
5 ed), and deposit same in a bank of sound financial standing in the full and
6 complete name of the Lodge. The Secretary-Treasurer shall keep a true
7 account of all financial transactions of the Lodge in accordance with instruc-
8 tions from the International Secretary-Treasurer and make a report of such
9 transactions under the proper order of business at each regular meeting. The
10 Secretary-Treasurer shall, in conjunction with the Board of Trustees, submit
11 on or before the 30th of each month following the close of each quarter, a
12 financial report covering such quarter, on official forms (or a report by a
13 Certified Public Accountant or a competent auditor approved by the
14 International President, for that quarter if one has been made), to the
15 International Secretary-Treasurer. The Secretary-Treasurer shall maintain in
16 the form required by the International Secretary-Treasurer a record showing
17 the name, last-known home address, membership standing, and other
18 required information of each member in the Lodge. The Secretary-Treasurer
19 shall submit on official forms a monthly membership report not later than
20 the 15th of the following month to the International Secretary-Treasurer. The
21 Secretary-Treasurer shall promptly inform the Business Manager (or the
22 equivalent) of all delinquencies in all dues. The Secretary-Treasurer shall
23 issue receipts for all monies collected from the membership in accordance
24 with instructions from the International Secretary-Treasurer. The Secretary-
25 Treasurer shall transmit all District dues collected to the Secretary-Treasurer
26 of the District Lodge with which the Local Lodge is affiliated. The Secretary-
27 Treasurer shall pay all authorized operating expenses and bills and shall sign
28 all checks issued on the funds of the Local Lodge, but no authorization shall
29 be required for current, fixed, or recurring expenses (such as salaries, rent,
30 office employees’ salaries, taxes, telephone, janitorial services, purchase of
31 necessary supplies, or other legitimate expenses when properly incurred).
32 The Secretary-Treasurer shall see that copies of this Constitution and Local
33 Lodge By-Laws are available to the membership of the Lodge. The Business

34 Manager and/or Secretary-Treasurer shall send to the International
35 President at least one (1) copy of all Lodge collective bargaining agreements
36 and wage scales immediately upon adoption (see Article 37.3).

26.7.2 – Availability of Records

37 The Secretary-Treasurer shall, upon request, make available to any
38 member for inspection a copy of any current annual report filed in com-
39 pliance with a statutory requirement. The Secretary-Treasurer shall, upon
40 the written request of any member setting forth good and sufficient cause
41 for requesting examination of any books, records, and accounts necessary
42 to verify any current annual report filed pursuant to law, make arrange-
43 ments to have the records desired available for inspection by said member
44 during the regular business hours at the principal office of the Lodge. In
45 the event that the Secretary-Treasurer believes that just cause does not
46 exist for the request made, the Secretary-Treasurer may deny same. The
47 member may then appeal the matter within ten (10) days in writing to the
48 International President.

26.7.3 – Maintenance of Records

49 The Secretary-Treasurer shall maintain records of the minutes of all
50 meetings of the Lodge and the Executive Board, as prepared by the
51 Recording Secretary or such person as is authorized to prepare the min-
52 utes, and shall keep important documents, papers, correspondence, as
53 well as files on contracts and agreements with employers, except where
54 this Constitution or the Lodge By-Laws impose this responsibility on
55 some other officer. The Secretary-Treasurer shall, if a person directly
56 affected by a collective bargaining agreement entered into by the Local
57 Lodge with an employer requests a copy of such agreement during reg-
58 ular business hours at the principal office of the Lodge, provide the
59 requested copy and may require a receipt therefor.

26.7.4 – Retention of Records

60 Whenever a Secretary-Treasurer's term of office shall expire or other-
61 wise be terminated, the Secretary-Treasurer shall give to the Secretary-
62 Treasurer's successor all papers, documents, records, vouchers, work-
63 sheets, books, reports, money, and other union property that may have
64 been entrusted to the Secretary-Treasurer by virtue of the office and shall
65 be given an appropriate receipt therefor. Such records, vouchers, work-
66 sheets, receipts, books, and reports shall be retained at the Lodge's prin-
67 cipal office for a period of five (5) years.

26.7.5 – Distribution of Campaign Literature

68 Upon reasonable request of any bona fide candidate for office, the

69 Secretary-Treasurer shall arrange for the distribution of campaign literature
70 by mail or otherwise, provided that in making such request the candidate
71 pays all cost involved in advance. The Secretary-Treasurer shall require that
72 all campaign literature be presented to the principal office of the Lodge not
73 later than five (5) days prior to the election and may, where the volume of
74 work involved exceeds the facilities and capacities of the employees of the
75 Lodge, provide for a consolidation of such distribution and the cost in the
76 event of such distribution shall be distributed on a pro rata basis.

26.7.6 – Retention of Requests for Distribution of Campaign Literature

77 The Secretary-Treasurer shall retain for a period of one (1) year copies
78 of all requests for distribution of campaign literature; shall make and
79 retain copies of a record of the date the literature was distributed, the cost
80 thereof, and the amount received for such work and postage; a copy of
81 the notices of nomination and of the election; a copy of the ballot, the offi-
82 cial tally sheet, along with the ballots submitted by the tellers; and such
83 other records as shall relate to the conduct of the election.

26.8 – Duties of the Recording Secretary

1 The Recording Secretary’s duties shall be to keep a full and accurate
2 account of the records and minutes of each meeting and to maintain a ros-
3 ter indicating attendance at regular monthly meetings.

26.9 – Duties of the Board of Trustees

1 The Board of Trustees shall make sure that the Secretary-Treasurer
2 deposits in the full name of the Lodge in such bank, trust company, or sav-
3 ings institution, and for such security as the Lodge may direct, all monies of
4 the Lodge which come into the Secretary-Treasurer’s possession. No money
5 shall be drawn out of such depository unless the draft is countersigned by
6 the President and the Secretary-Treasurer except as provided in Article 26.5.
7 The Trustees shall audit the accounts of the Lodge quarterly, or as often as
8 may be necessary. When any Lodge has liquid assets in its treasury in excess
9 of the sum of One Hundred Thousand Dollars (\$100,000.00), the Secretary-
10 Treasurer shall so advise the Trustees, who shall engage to perform, or see
11 that a Certified Public Accountant or competent auditor approved by the
12 International President performs, any one of the following types of audits as
13 directed by the International President: e.g., a Complete Audit, a
14 Compilation Audit, or a Review Audit. In any Lodge where a Certified
15 Public Accountant or competent auditor approved by the International
16 President is utilized, the Trustees shall function as a Financial Committee to
17 review Lodge expenditures. A copy of each audit shall be promptly for-
18 warded to the office of the International Secretary-Treasurer and the

19 International Vice President of the section; such audit will be in lieu of any
20 quarterly financial report required by any other section of this Constitution.

26.10 – Duties of the Business Manager

1 The Business Manager (or the equivalent) shall be responsible for
2 organizing, negotiating, and administering collective bargaining agree-
3 ments, including the appointments of all collective bargaining-related
4 committees, including, but not limited to, the negotiating committee,
5 safety committee, Local apprenticeship committee, appointment of job
6 stewards, and dispatching of job referral applicants. The Business Manager
7 and/or Secretary-Treasurer shall send to the International President at least
8 one (1) copy of all Lodge collective bargaining agreements and wage scales
9 immediately upon adoption (see Article 37.3). The Business Manager (or
10 the equivalent) shall in addition be empowered to transact all business
11 and to manage and direct the affairs of the Lodge between membership
12 meetings, except as otherwise may be provided in this Constitution.
13 Business Managers (or the equivalent) shall, by virtue of their office, be
14 delegates to International Brotherhood Conventions.

26.11 – Duties of the Inspector

1 It shall be the duty of the Inspector to see that all persons present in the
2 Lodge meetings are members in good standing and that the Lodge prop-
3 erty is properly cared for and preserved. The Inspector shall assist the
4 Chairman in maintaining order.

26.12 – Local Lodge Executive Boards

1 A Local Lodge may, with the approval of the International President,
2 designate the duly-elected officers of the Lodge as an Executive Board.
3 The Executive Board as a body shall have no authority over any officer
4 of the Local Lodge. It shall act in an advisory capacity only and its
5 actions shall be confined to consideration and recommendations to the
6 regular meetings of the Local Lodge on matters affecting the member-
7 ship thereof. All matters considered by such Executive Board shall be
8 submitted to the Lodge for action on each item separately. Any deviation
9 from the provisions of this section must have the approval of the
10 International President.

26.13 – Relinquishing Office

1 On relinquishing office, all officers shall hand over to their successor
2 all books, monies, papers, paraphernalia, and other properties of the
3 Lodge in their possession.

ARTICLE 27

MEMBERSHIP

27.1 – Qualifications

1 An applicant for membership in this Brotherhood shall be one who
2 has reached the minimum working age prescribed by statutory laws
3 regardless of race, creed, color, sex, or national origin and who is work-
4 ing at some branch of the trade or employed in a shop, plant, or indus-
5 trial facility where the International Brotherhood has jurisdiction at the
6 time of making application as provided in Article 11, and who, if a former
7 member, has been suspended from membership for non-payment of
8 dues for more than forty-eight (48) continuous months.

9 No applicant for membership shall be considered eligible who is a
10 member of the Communist Party or of any other subversive group, or
11 who subscribes to the doctrines of any such groups, or who is not work-
12 ing within the jurisdiction of the Local Lodge processing the application
13 for membership.

14 No applicant shall be admitted to membership if such applicant is found
15 to hold membership in any other International union engaged in the con-
16 struction industry, where jurisdiction claims infringe on this Brotherhood.
17 An applicant shall become a member of the International Brotherhood
18 when the applicant's signed application and fee are received and approved
19 by the International President and recorded in the office of the International
20 Secretary-Treasurer. This provision shall not apply to any applicant who
21 has a penalty standing in any Local Lodge and such penalty must be
22 cleared before such applicant is accepted and recorded.

27.2 – Application

1 All applications for membership shall be made on official forms fur-
2 nished by the International Secretary-Treasurer and must indicate the
3 applicant's Social Security number, be signed by the applicant, and be
4 attested to by the Secretary-Treasurer of the Local Lodge. Such applications
5 shall be for Mechanic, Helper, Apprentice, Trainee (where such classifica-
6 tion is in the applicable labor agreement), Production Worker, or Office-
7 Professional-Technical Worker, as shall be determined by the Local Lodge.

27.3 – Change of Classification

1 Requests for changes in classification shall be made on forms fur-
2 nished by the International Secretary-Treasurer and, upon approval by
3 the Secretary-Treasurer of the Local Lodge, shall be forwarded by the
4 Local Lodge Secretary-Treasurer to the International Secretary-Treasurer.

27.4 – Apprenticeship

1 Apprenticeship qualifications, rules, and ratio shall be as set forth under
2 bona fide collective bargaining agreements or by Area Apprenticeship
3 Committees and/or the National Apprenticeship Board.

27.5 – Termination of Membership Rights

1 Membership rights, except as otherwise specifically provided in this
2 Constitution, shall terminate for any of the following reasons:
3 **27.5.1.** Expulsion or suspension;
4 **27.5.2.** Obtaining and holding a Withdrawal Card as provided in this
5 Constitution.

27.6 – Modification of Membership Rights

1 Membership rights, except as otherwise specifically provided in this
2 Constitution, may be modified or curtailed for disciplinary purposes pur-
3 suant to disciplinary proceedings under this Constitution.

ARTICLE 28

NOMINATION AND ELECTION OF LOCAL LODGE OFFICERS

28.1 – Nominations

1 The nominations of officers of each Local Lodge shall be held at the
2 regular May meeting of established election years, unless otherwise
3 approved by the International President. Members nominated must be pres-
4 ent to accept the nomination, unless prevented by official union duties, sick-
5 ness, or some other unavoidable circumstances; provided, however, that in
6 the case of any such absence, the member desiring to be nominated shall
7 notify the Lodge in writing that the member is familiar with and in compli-
8 ance with all eligibility requirements and will accept if nominated.
9 **28.1.1.** Quorum requirements shall not be enforced at any nomina-
10 tion meeting.

28.2 – Time of Election

1 The election of officers shall be held at the June meeting, unless other-
2 wise approved by the International President; provided, however, that in
3 cases of a special election date the election shall be held during the month
4 of June in such election years.
5 **28.2.1.** Quorum requirements shall not be enforced at any election
6 meeting.

28.3 – Member’s Rights and Notification

1 Every member in good standing shall have equal rights to nominate
2 and vote for officers, except as provided in Articles 28.6 and 30.2.1. Fifteen
3 (15) days written notice of nomination, and thirty (30) days written notice
4 of election for other than filling of vacancies, shall be given stating time,
5 date, and place. Notice of nomination and election may be given in a
6 combined notice at least fifteen (15) days prior to date of nomination.
7 Such notice will be mailed to the last-known home address of each mem-
8 ber in good standing. Members whose dues have been checked off with
9 their voluntary authorization under a labor agreement with the Local
10 Lodge may not be disqualified from voting or being a candidate by rea-
11 son of alleged delay or default in the payment of dues. All members shall
12 have the right to support the candidate or candidates of their choice.

28.4 – Eligibility for Local Lodge Officers

28.4.1 – Requirements

1 To be eligible for nomination and election as an officer of a Local
2 Lodge, a member shall be:

3 **28.4.1.1.** Actively working under the jurisdiction of the International
4 Brotherhood or actively seeking and available for work under the juris-
5 diction of the International Brotherhood for at least twelve (12) months
6 immediately prior to nomination date, or a full-time salaried officer or
7 representative of the International Brotherhood or of a subordinate body
8 thereof, or of the AFL-CIO or any department thereof, or is on authorized
9 leave of absence from any such position;

10 **28.4.1.2.** Free from delinquency of every nature to the International
11 Brotherhood;

12 **28.4.1.3.** In continuous good standing in the International
13 Brotherhood and the member’s Local Lodge for a period of at least two
14 (2) years immediately prior to the time of nomination, excepting at date
15 of nominations in Lodges chartered less than two (2) years there shall be
16 no length of membership eligibility requirements;

17 **28.4.1.4.** Shall have attended regular meetings of the Lodge as
18 required by Local Lodge By-Laws to establish eligibility.

19 There shall be no deviation from the foregoing eligibility requirements
20 for Local Lodge office without prior approval of the International President.

28.4.2 – Apprentices and Trainees

21 Apprentices and construction trainees shall not be eligible to hold any
22 Lodge office until they have satisfactorily completed their apprenticeship
23 or training program.

28.4.3 – Transferred Members

24 Members of consolidated Lodges who have transferred their member-
25 ship shall carry their membership rights, including their eligibility rights,
26 with them to the Lodge to which they are transferred. Members directed by
27 the International President to transfer their membership from one Lodge to
28 another because of the former's charter having been revoked and the
29 Lodge thereby disestablished, shall carry their membership rights, includ-
30 ing their eligibility rights, to the Lodge to which they are transferred.

28.4.4 – Acceptance of Nomination

31 At time of nomination a member who is nominated shall be required
32 to make a statement that the nominee understands the eligibility require-
33 ments as set forth in this Constitution and the Local Lodge By-Laws and
34 that the nominee meets those eligibility requirements for nomination; fur-
35 ther, if it is later found that the nominated member committed perjury,
36 that member shall be automatically disqualified and shall be subject to
37 the disciplinary procedure of Article 17.

28.4.5 – Eligibility

38 No member shall be eligible to hold office in the Local Lodge or rep-
39 resent its members in any capacity who is:

40 **28.4.5.1.** Not working or actively seeking to work within the jurisdic-
41 tion of the International Brotherhood; or

42 **28.4.5.2.** Retired; or

43 **28.4.5.3.** Holding regularly or on a probationary basis a supervisory
44 position with authority to hire, promote, discharge, discipline, or other-
45 wise effect changes in the status of employees, or effectively recommend
46 such action; or

47 **28.4.5.4.** Maintaining membership in another labor organization
48 where there is a possible conflict in interest; or

49 **28.4.5.5.** Employed at an occupation not represented by or under the
50 jurisdiction of the International Brotherhood.

51 Article 28.4.5.3 shall not be interpreted to include members who inter-
52 mittently or at irregular intervals are employed as general foremen, fore-
53 men, or assistant foremen covered by a collective bargaining agreement.

54 There shall be no deviation from the foregoing without prior approval
55 of the International President.

28.5 – Objections

1 Objections to nominations based on eligibility shall be made at the nomi-
2 nating meeting and shall be forthwith ruled on by the Local Lodge President
3 or presiding officer. The Secretary-Treasurer shall, insofar as practicable, have
4 available for reference such records as are necessary to establish eligibility.

5 Any member who is ruled ineligible for nomination, or a member who
6 challenges the eligibility of a nominee, may appeal the ruling of the Local
7 Lodge President or presiding officer to the International President or the
8 International President's designee. Appeals to the International President
9 or the International President's designee shall be by registered or certified
10 mail to be mailed within two (2) days following the date of the nominating
11 meeting excluding Saturdays, Sundays, or holidays. The International
12 President or the International President's designee shall decide the appeal
13 within seven (7) days after receipt thereof, which decision shall be final
14 and binding.

28.6 – Eligibility to Vote

1 A member to be entitled to nominate a candidate or to vote in any
2 Local Lodge election, must have been in good standing in such Local
3 Lodge for at least sixty (60) calendar days immediately prior to such date
4 of nominations and/or elections as recorded in the office of the
5 International Secretary-Treasurer. Each Local Lodge Secretary-Treasurer
6 shall prepare, on the basis of the records available, a list of eligible voters
7 for the Election Committee. The Election Committee shall not permit any
8 member to vote who has not been properly identified and whose eligi-
9 bility has not been established.

28.7 – Conduct of Election

28.7.1 – Secret Ballot Election

1 The election shall be conducted by secret ballot. There shall be no
2 proxy or write-in votes. Election ballots may be printed. When printed
3 ballots are used in elections, only the names of the nominees (which may
4 include nicknames shown in parentheses) and the office for which they
5 are candidates shall be listed thereon. Incumbents may be indicated by
6 asterisks. Regardless of the number of nominees aspiring to the same
7 office, the nominee receiving the highest number of votes shall be
8 declared elected. It will not be required that unopposed candidates be
9 elected by secret ballot, but may be declared elected by acclamation.

10 In cases where a Local Lodge has territorial jurisdiction outside the
11 immediate area of the city or town in which it holds its regular meetings,
12 election of Local Lodge officers specified in this Constitution and Delegates
13 to the International Brotherhood Convention may be by mail ballot in
14 accordance with the procedures prescribed by the International President.
15 In all other cases where the election is to be held at a regular or special
16 meeting, absentee ballots for members unable to attend the meeting may
17 be used upon request in writing to the Secretary-Treasurer of the Local
18 Lodge, received twenty (20) days in advance of the election. The Inter-
19 national President may, upon request of any Local Lodge or where condi-

20 tions warrant, authorize or direct a mail ballot, which shall be conducted in
21 accordance with instructions issued by the International President.

28.7.2 – Observers

22 Each candidate shall have the right to have an observer, who must be a
23 member of the Local Lodge, at the polls and at the counting of the ballots.

28.7.3 – Election Committee

24 The President shall appoint an Election Committee not to exceed seven
25 (7) impartial members, unless otherwise approved by the International
26 President. The members of the Election Committee shall select a
27 Chairman. The Election Committee shall make all arrangements for and
28 conduct the election. The members of the Election Committee shall act as
29 tellers and shall conduct the election in a just and impartial manner.

28.7.4 – Certification of Results

30 After the counting of the ballots, the Election Committee shall certify
31 the results and conduct of the election on a form furnished by the
32 International Secretary-Treasurer.

28.8 – Challenges and Objections

28.8.1 – Challenges

1 Candidates and/or observers may challenge the eligibility of any
2 voter which shall be done prior to voting. Any person challenged shall be
3 permitted to vote and that person's ballot shall be retained by the Election
4 Committee pending determination as to its validity.

5 The Election Committee shall investigate all challenges of eligibility of
6 voters and rule thereon in writing as promptly as possible, but in no
7 event later than four (4) days following the date of the election.

8 Appeals from the ruling of the Election Committee on eligibility of vot-
9 ers shall be filed with the International President by the appealing party in
10 writing with copy to the Election Committee, by registered or certified
11 mail, within two (2) days of the date of the ruling excluding Saturdays,
12 Sundays, and holidays. The Election committee, within two (2) days of
13 receipt of copy of the appeal, shall furnish all available information to the
14 International President. Based on the information received, the
15 International President shall make a decision within seven (7) days of
16 receipt of the information, which decision shall be final and binding.

28.8.2 – Objections

17 Any objections to the conduct and/or validity of the election shall
18 be filed with the Election Committee by the candidate or the candi-

19 date's observer in writing within two (2) days of the close of the elec-
20 tion, excluding Saturdays, Sundays, and holidays, setting forth in
21 detail reasons for such objections.

22 The Election Committee shall investigate all objections to the conduct
23 and/or validity of the election and shall rule on such objections in writing
24 as promptly as possible, but in no event later than four (4) days following
25 receipt of the objections excluding Saturdays, Sundays, and holidays.

26 Appeals from the ruling of the Election Committee on objections to
27 the conduct and/or validity of the election shall be filed with the
28 International President by the appealing party in writing with copy to
29 the Election Committee, by registered or certified mail, within two (2)
30 days of the date of the ruling excluding Saturdays, Sundays, and holi-
31 days. The Election Committee, within two (2) days of receipt of copy of
32 the appeal, shall forward their ruling with all available information to
33 the International President. Based on the information received, the
34 International President shall make a decision within seven (7) days of
35 receipt of the information, which decision shall be final and binding.

28.9 – Term of Office

28.9.1 – United States

1 The term of all officers for Local Lodges shall be for three (3) years
2 from July 1st of such election year and until their successors are elected
3 and assume office. There shall be no deviation from this unless approved
4 by the International President, but in no event shall the term of office be
5 for less than two (2) years.

28.9.2 – Canada

6 The term of office for Local Lodges shall be for five (5) years from July 1st
7 of such election year (2003) and until their successors are elected and
8 assume office. There shall be no deviation from this unless federal or
9 provincial laws dictate otherwise.

28.10 – Use of Lodge Funds in Elections

1 No Lodge funds and no money of an employer may be used to pro-
2 mote the candidacy for Lodge office of any member. The Local Lodge
3 may expend such funds as necessary for notices, factual statements of
4 issues not involving candidates, and other expenses necessary for the
5 holding of elections.

28.11 – Distribution of Campaign Literature

1 The Local Lodge shall, up until five (5) days prior to the election, comply
2 with reasonable requests of bona fide candidates to distribute campaign liter-
3 ature, by mail or otherwise, at the candidates' expense with equal treatment

4 as to expense and administration of such distribution. No such request need
5 be complied with unless the candidate making same shall pay all costs
6 involved in advance. Every bona fide candidate shall have the right, once
7 within thirty (30) days prior to the election, to inspect, but not copy, a list con-
8 taining the names and last-known addresses of all members of the Lodge who
9 are covered by an agreement requiring membership in the Lodge as a condi-
10 tion of employment. Such list shall be maintained and kept for inspection at
11 the principal office of the Lodge by the Secretary-Treasurer of the Lodge.

28.12 – Preservation of Election Records

1 The Chairman of the Election Committee shall turn over ballots and all
2 other records pertaining to the election to the Local Lodge Secretary-
3 Treasurer, who shall preserve the same for a period of one (1) year.

28.13 – Installation of Officers

1 The officers, when legally elected, shall be installed in office at the first
2 regular meeting in July or at a special meeting called prior thereto by a
3 past President or members designated by a vote of the Local Lodge, but
4 shall assume the duties and responsibilities of office July 1 of such elec-
5 tion year. If any elected officer fails to appear for installation, unless pre-
6 vented by official union duties, sickness, or some unavoidable occur-
7 rence, the office to which the member has been elected may be declared
8 vacant by the installing officer and in such event the vacancy shall be
9 filled as provided in this Constitution.

28.14 – Absence From Meetings

1 Any officer absent from three (3) successive regular Local Lodge meet-
2 ings shall have that office declared vacant, unless such officer is excused
3 by the Local Lodge or the International President, and any such vacancy
4 shall be filled as provided in this Constitution.

28.15 – Equal Rights

1 All members of the International Brotherhood shall have equal rights
2 and privileges in the Local Lodge meeting except as provided in Articles
3 28.6 and 30.2.1.

28.16 – Filling of Vacancies

1 All vacancies in Local Lodge offices shall, for the remainder of the
2 term, be filled by nomination and election at a regular or special meeting,
3 or nominations may be held at one meeting and election the following
4 meeting (except as otherwise provided in approved Lodge By-Laws),
5 except that until such vacancy is filled, the President (or if there is a
6 vacancy in the office of President, the Vice President) shall make an inter-
7 im appointment to fill such vacancy.

ARTICLE 29

SHOP COMMITTEE'S AND SHOP STEWARD'S DUTIES AND AUTHORITY

29.1 – Appointment

1 Shop Committee and Shop Stewards shall be appointed by the
2 Business Manager, or if there is no Business Manager by the President,
3 unless otherwise provided for in the Local Lodge By-Laws.

29.2 – Function and Responsibility

29.2.1 – Function

1 The function of the Shop Committee and Shop Stewards shall be to
2 safeguard the interests of the membership of the International
3 Brotherhood represented and to administer the Lodge's collective bar-
4 gaining agreements and/or such other duties as may be set forth in the
5 approved Local Lodge By-Laws. They shall be under the direction of the
6 District or Local Lodge subject to the provisions of this Constitution and
7 Lodge By-Laws.

29.2.2 – Responsibility

8 Shop Committees and Shop Stewards shall be responsible for main-
9 taining one hundred percent (100%) membership in the union among
10 employees represented. Shop Committees and Shop Stewards shall work
11 actively to build the union and shall do all in their power to encourage
12 membership participation in union affairs, including attendance at union
13 meetings and functions and membership participation in LEAP.

ARTICLE 30

MEETINGS OF LOCAL LODGES

30.1 – Time

1 The regular meetings of each Local Lodge shall be held once each
2 month on the day and hour designated in the approved Lodge By-Laws
3 unless otherwise approved by the International President. Special meet-
4 ings may be called by the President on written request of not less than
5 five (5) members in good standing of which due notice shall be given.
6 Announcement of any special meeting shall briefly outline the purpose
7 for which it is called and every effort shall be made to inform all the mem-
8 bers that the same is to be held.

30.2 – Membership Rights

30.2.1 – Members in Good Standing and Exceptions

1 All members in good standing of the Local Lodge shall be entitled to be

2 seated and to participate in the Local Lodge meetings, vote in elections, have
3 the right to express their views, arguments, or opinions upon any business
4 properly before the meeting subject to this Constitution and the Local Lodge
5 By-Laws with the following exceptions:

30.2.1.1 – Supervisors

6 Members regularly employed in supervisory positions and who are
7 not covered by collective bargaining agreements.

30.2.1.2 – Employed Outside the Trade

8 Members who are employed outside of the jurisdiction of the
9 International Brotherhood and who are not available for or seeking
10 employment under the jurisdiction of the International Brotherhood and
11 their Local Lodge except those members actively representing the
12 International Brotherhood or any subordinate body thereof, or the AFL-
13 CIO or any department thereof.

30.2.1.3 – Retirees

14 Members who are retired from the trade shall be permitted to attend
15 Local Lodge meetings without voice or vote but may, by the consent of
16 the Local Lodge, speak on the welfare of the union.

30.2.1.4 – Visiting Members

17 Visiting members in good standing shall be permitted to attend regu-
18 lar Local Lodge meetings without voice or vote.

19 No member in exercising such rights shall act improperly, evade or
20 avoid responsibility to the organization as an institution, or engage in or
21 advocate any conduct that would interfere in the organization's perform-
22 ance of its legal or contractual obligations or functions.

30.2.2 – International Officers and Representatives

23 Notwithstanding the provisions of Article 30.2.1, International Officers
24 or Representatives shall have the right to participate in any subordinate
25 body meetings to the extent necessary to carry out their duties or any
26 assignment by the International President.

30.3 – Constitutional Quorum

1 Not less than seven (7) members shall constitute a quorum for the
2 transaction of business except five (5) members shall constitute a quorum
3 in Lodges of fifty (50) members or less.

30.4 – Visiting Members Identification

1 Visiting members shall present a Local Lodge monthly dues receipt, initi-
2 ation receipt, or combination monthly dues and reinstatement receipt show-
3 ing such members to be in good standing in their respective Local Lodge.

30.5 – Limitation on Speaking

1 No member shall be allowed to speak longer than five (5) minutes on
2 any one subject in any meeting of the Local Lodge without permission of
3 the Local Lodge and such member shall stop speaking and sit down
4 upon being called to order by the presiding officer.

ARTICLE 31

INITIATION FEES AND DUES

31.1 – Initiation Fees

31.1.1 – Limitations

1 The initiation fee shall be determined by the Local Lodge, but shall be
2 not less than Twenty-Five Dollars (\$25.00) and in no event shall be more
3 than One Thousand Dollars (\$1,000.00). Arrangements for payment of initi-
4 ation fees by installments may be made in accordance with approved
5 Local Lodge By-Laws or an applicable collective bargaining agreement.
6 When a Local Lodge collects the initiation or reinstatement fees in install-
7 ments, the first installment shall be equal to the amount due the
8 International, and remitted to the office of the International Secretary-
9 Treasurer. Any monies paid toward an incomplete initiation shall be for-
10 feited by the applicant.

31.1.2 – Special Dispensations

11 The International President shall have the authority to grant a special
12 dispensation reducing initiation and reinstatement fees for special cases,
13 where organizing activities are in progress or are contemplated, for such
14 period of time as may be determined by the International President.

31.1.3 – Reciprocal Agreements

15 Any applicant for membership, who presents acceptable evidence of
16 current good standing in some other labor organization with which the
17 International Brotherhood has a reciprocal agreement, may be admitted
18 to membership upon the payment of one (1) month's dues to the Local
19 Lodge having jurisdiction where the applicant is working and upon exe-
20 cuting an official application for membership.

31.1.4 – Difference in Initiation Fees

21 A member with less than four (4) years of continuous membership,
22 who becomes employed on work for which a higher initiation (or rein-
23 statement) fee than the member paid is applicable, shall be required to
24 pay the difference in the two (2) fees. The Local Lodge, upon receipt of the
25 difference in the fees, shall transmit to the International Secretary-
26 Treasurer the difference in the amounts payable to the International
27 Brotherhood as set forth in Article 12.2.1.

31.1.5 – Deviations

28 Any deviations from Article 31.1.1 must have prior approval of the
29 Executive Council.

31.2 – Dues

31.2.1 – When Payable

1 All monthly dues shall be payable on the first day of each month and
2 should be paid monthly in advance. Minimum monthly dues shall be
3 Thirty-Three Dollars and Fifty-Five Cents (\$33.55) and this amount shall be
4 increased in the same amount and as of the same date as any increase in the
5 Lodge monthly dues provided for in Article 31.2.2. Dues for Local Lodges
6 within the Stove, Furnace, Energy, and Allied Appliance Workers Division
7 shall be governed by the terms of the Merger Agreement.

31.2.2 – Annual Increases

8 Local Lodge monthly dues shall be increased every January 1 by an
9 amount equal to two (2) times the amount of any increase in the monthly
10 Per Capita Tax as determined in accordance with Article 12.2.2 of this
11 Constitution with the Local Lodge and the International Brotherhood to
12 share equally this increase in Lodge monthly dues. The International
13 President, upon receipt of a Local Lodge request to waive the increase in
14 monthly dues to be retained by the Local Lodge, may grant such request
15 if so warranted by the Lodge's financial condition.

31.2.3 – Eligibility for Financial Assistance

16 In accordance with Article 7.8 of this Constitution, for a Local Lodge to be
17 eligible for financial assistance, members of that Local Lodge must be paying
18 the minimum dues as provided for in Article 31.2.2, plus \$1 per month.

31.2.4 – Deviations

19 Any deviations from Article 31.2.1 must have the prior approval of the
20 Executive Council after receipt of a recommendation from the
21 International President.

31.3 – Service Charges

31.3.1 – Permit Fees Prohibited

1 No “permit fees” shall be collected, but nothing in this section shall
2 prevent the exchange of members as between subordinate bodies of this
3 Brotherhood or other organizations and the payment of appropriate
4 working dues required of members.

31.3.2 – Non-Member Per Capita Tax

5 In any agency shop, Rand Formula or other similar arrangement, or
6 with regard to any Lodge with field construction jurisdiction which
7 receives payments pursuant to Article 31.3.1, the International
8 Brotherhood shall receive an amount equal to a member’s monthly Per
9 Capita Tax from all non-member employees.

31.4 – Sick and Disabled Members

31.4.1 – Eligibility

1 When a member is rendered unable to work for any calendar month
2 and has not worked more than four (4) days in that month because of sick-
3 ness or disability, such member may apply for a sick receipt.

31.4.2 – Invalidation

4 If it is found that a member fraudulently received a Local Lodge sick
5 receipt while gainfully employed, such receipt shall be invalidated and
6 that member required to pay full dues for each month involved.

ARTICLE 32

SUSPENSION AND REINSTATEMENTS

32.1 – Suspension for Non-Payments

1 Whenever any member’s monthly dues, assessments, or fines become
2 two (2) calendar months in arrears, that member shall be automatically
3 suspended from all rights, privileges, and benefits of the International
4 Brotherhood. No monthly dues shall be accepted until all financial obli-
5 gations owed to the Brotherhood or any subordinate body such as field
6 dues, District Lodge dues, fines, or assessments have been paid.
7 However, employment status governed by a valid union security clause
8 is to be affected only in the event of a failure to tender the periodic dues
9 and the initiation fees uniformly required as a condition of acquiring or
10 retaining membership.

32.2 – Reinstatement of Members Suspended for Non-Payments

1 In order for the former member to be recorded again in good standing,
2 that member shall, if suspended for less than forty-eight (48) continuous
3 months, personally make application for reinstatement with the Lodge
4 having jurisdiction where the member is working and shall be obligated
5 to pay, in addition to any financial delinquencies, a reinstatement fee in an
6 amount determined by the subordinate body; such fee, however, to be not
7 less than Twenty-Five Dollars (\$25.00) and not more than One Thousand
8 Dollars (\$1,000.00). Arrangements for the payment of reinstatement fees
9 by installments may be made in accordance with approved Local Lodge
10 By-Laws or an applicable collective bargaining agreement. When a Local
11 Lodge collects the initiation or reinstatement fees in installments, the first
12 installment shall be equal to the amount due the International, and remit-
13 ted to the office of the International Secretary-Treasurer. Any fees paid to
14 apply on reinstatement fees shall be forfeited in the event payment for
15 such reinstatement is not completed. The application for reinstatement
16 shall show the full amount of the Lodge reinstatement fee and the appli-
17 cant's Social Security number, and be signed by the applicant and attested
18 to by the Secretary-Treasurer of the Local Lodge. Any deviations from this
19 section must have the prior approval of the Executive Council.

32.3 – Reinstatement of Expelled or Other Suspended Members

1 Any member who is expelled or suspended from any Local Lodge for
2 any reason other than the nonpayment of dues, and recorded as such in the
3 International Secretary-Treasurer's office, shall not be accepted as a mem-
4 ber of any Local Lodge unless such Local Lodge shall:
5 **32.3.1.** First secure the consent of the Local Lodge so suspending or
6 expelling the member;
7 **32.3.2.** Collect such fines, assessments and dues as may be outstand-
8 ing against the member plus the prescribed reinstatement fee;
9 **32.3.3.** Promptly forward such sum to the Local Lodge from which
10 the member came; and
11 **32.3.4.** Obtain the approval of the International President except in
12 those situations where the member has been expelled or suspended by
13 action of the Executive Council in which event its approval must be
14 obtained. The requirements of this section shall be complied with fully
15 before such a reinstatement into membership shall become effective.

ARTICLE 33
TRAVELING CARDS

33.1 – Issuance of Traveling Cards

1 Any member leaving the jurisdiction of that member’s Local Lodge for
2 employment elsewhere shall apply for a Traveling Card to the Secretary-
3 Treasurer of the Local Lodge who shall issue such Traveling Card to such
4 member only after clearing through the Business Manager’s office where
5 one is maintained. Such Traveling Card shall serve as an identification card
6 for the member and shall entitle the member to recognition as a member in
7 good standing when accompanied by an official paid-up dues receipt
8 signed by the Secretary-Treasurer of the Local Lodge issuing such card.

9 A member on a Traveling Card shall maintain membership in the
10 Local Lodge from which such card was obtained and shall retain all
11 rights of membership in that Lodge, including the right to run for and
12 hold office, vote, and participate in the meetings of said Lodge subject to
13 the provisions of Articles 28.4 and 28.6. Such members may attend other
14 Local Lodge meetings in the area where they are traveling or working,
15 but without right to voice or vote.

16 All Traveling Cards shall be supplied by the International Secretary-
17 Treasurer, and upon being issued by the Secretary-Treasurer of the Lodge,
18 shall coincide with dues receipts in all particulars.

19 A Traveling Card shall not be issued to any member until all fines,
20 assessments, dues, District Lodge dues, and field dues have been paid for
21 the month in which such card is issued.

33.2 – Deposit of Traveling Cards

1 A member on a Traveling Card securing employment under the juris-
2 diction of any Lodge shall immediately deposit said card with the Business
3 Manager where such office exists or in the absence of such office with the
4 Secretary-Treasurer of the Lodge. Such officer shall accept the Traveling
5 Card and it shall be held for the period of the member’s employment in the
6 jurisdiction of the Lodge subject to the provisions of Article 33.3.

33.3 – Return of Traveling Card

1 At any time that a member on a Traveling Card loses employment in
2 the area within the jurisdiction of the Local Lodge where that member’s
3 Traveling Card is being held, the Secretary-Treasurer of such Lodge shall
4 return the Traveling Card to such member if the Secretary-Treasurer has
5 determined that all financial obligations to the Brotherhood have been
6 paid. If any such obligations have not been paid, the Secretary-Treasurer
7 shall return such card to the Secretary-Treasurer of the Local Lodge from
8 which such card was obtained, who shall collect the indebtedness from
9 said member and forward the monies to the Local Lodge where the finan-
10 cial obligations occurred.

33.4 – Maintenance of Membership

1 It shall be the duty of the Local Lodge holding a member's Traveling
2 Card to see that the member maintains all membership obligations. A
3 member on a Traveling Card shall pay field dues as set forth in the
4 approved By-Laws of the Local and/or District Lodge under whose juris-
5 diction said member is working.

33.5 – Reciprocal Agreements

1 The issuance, deposit, and acceptance of Traveling Cards as required by
2 this Article shall not apply where reciprocal working agreements, which
3 have been approved by the International President, exist between subordi-
4 nate bodies. Where circumstances warrant, the International President is
5 authorized to establish reciprocal working agreements.

ARTICLE 34

TRANSFER OF MEMBERSHIP

34.1 – Requirements

34.1.1 – Application for Transfer of Membership

1 A member working in the jurisdiction of a Local Lodge on a Traveling
2 Card may at any time apply for transfer of membership to the Lodge in
3 which the Traveling Card is deposited and such Lodge may accept such
4 transfer application by vote of the membership or as prescribed in
5 approved Lodge By-Laws.

34.1.2 – Automatic Acceptance of Application

6 A Lodge shall automatically accept an application for a transfer of
7 membership when:

8 **34.1.2.1.** The member has worked under the jurisdiction of the Lodge
9 for a period of 8,000 hours; and

10 **34.1.2.2.** The member can demonstrate permanent residence in a place
11 located within the Lodge's geographical jurisdiction.

34.1.3 – Required Transfer

12 Unless otherwise provided in approved Lodge By-Laws, a member on
13 a Traveling Card, who has had said card on deposit in a Lodge for nine-
14 ty (90) days, may be required to transfer membership into such Lodge. If
15 it is so determined, it shall be the duty of the member to request transfer
16 of such membership.

34.1.4 – Eligibility for Transfer Card

17 A Transfer Card shall not be issued for any member until all fines,
18 assessments, dues, District Lodge dues, and field dues have been paid for
19 the month in which such card is issued.

34.2 – Notification of International Secretary-Treasurer

1 When a transfer of membership is made from one Local Lodge to
2 another, the Secretary-Treasurer of the Local Lodge receiving such trans-
3 fer shall immediately notify the International Secretary-Treasurer of such
4 transfer. The International Secretary-Treasurer shall furnish Local Lodges
5 Transfer Cards in such form as may be required to obtain the necessary
6 information concerning the member.

ARTICLE 35

WITHDRAWAL, SERVICE, AND RETIREMENT CARDS

35.1 – Issuance of Withdrawal Cards

1 A member who desires to withdraw from the International Brotherhood
2 of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers, and Helpers for
3 the purpose of going into business or entering another occupation not com-
4 ing under the established work jurisdiction of any division of the
5 International Brotherhood shall make application for a Withdrawal Card to
6 the member's Local Lodge. The Local Lodge shall grant the member a
7 Withdrawal Card; provided, however, such member has been a member in
8 good standing in the International Brotherhood for at least three (3) months
9 and is not indebted to the Local Lodge.

10 Withdrawal Cards must be renewed after being in effect for a period
11 of six (6) months, but less than forty-eight (48) months. The cost of each
12 renewal shall be Twenty Dollars (\$20.00), of which Ten Dollars (\$10.00)
13 shall be retained by the Local Lodge. The initial renewal period, and all
14 subsequent renewals, shall be for a period of forty-eight (48) months from
15 the last month of issuance.

16 Withdrawal Cards shall be prepared in triplicate form: one (1) part
17 shall be issued to the member withdrawing; one (1) part shall be deposit-
18 ed in the records of the Local Lodge; and one (1) part shall be forwarded
19 to the International Secretary-Treasurer for recording at International
20 Headquarters. The cost of the Withdrawal Card shall be in an amount
21 equal to two (2) times the Withdrawal Card charge set forth in Article
22 12.2.1 with the Local Lodge and the International Brotherhood to share
23 equally in this amount. Any deviation must have the approval of the
24 International President.

35.2 – Deposit of Withdrawal Cards

35.2.1 – Deposit/Revocation of Withdrawal Card

1 A former member holding a Withdrawal Card who returns to employ-
2 ment within the established work jurisdiction of the International
3 Brotherhood in either an organized or unorganized facility, shall imme-
4 diately deposit such Withdrawal Card with the Business Manager or
5 Secretary-Treasurer of the Local Lodge having territorial jurisdiction over
6 the facility. Failure on the part of a former member to deposit the
7 Withdrawal Card shall cause it to be automatically cancelled or revoked.

35.2.2 – Monies Payable Upon Deposit of Withdrawal Card

8 Any former member who has held a Withdrawal Card for six (6) months
9 or less, shall pay to the Local Lodge in which the Withdrawal Card is deposit-
10 ed all dues and assessments which have accrued since the issuance of the
11 Withdrawal Card, and said deposit within six (6) months shall cause the
12 Withdrawal Card to be cancelled and shall not constitute a break in member-
13 ship. If the former member has held such Withdrawal Card for more than six
14 (6) months, the former member shall pay one (1) month's dues and assess-
15 ments, if any, for the month in which the Withdrawal Card is deposited.

35.2.3 – Per Capita Remittal to International Secretary-Treasurer

16 After the Withdrawal Card is accepted, the original Withdrawal Card,
17 along with a completed application for membership, shall be forwarded to
18 the International Secretary-Treasurer together with the Per Capita Tax for
19 each month for which the Withdrawal Card has been held for six (6) months
20 or less. If the Withdrawal Card has been held for more than six (6) months,
21 the application shall be accompanied by one (1) month's Per Capita Tax.

35.2.4 – Dues Receipt

22 A Local Lodge monthly receipt for the month in which the Withdrawal
23 Card is deposited shall be issued by the Local Lodge Secretary-Treasurer.
24 A duplicate of this receipt shall be forwarded by the Local Lodge
25 Secretary-Treasurer to the International Secretary-Treasurer, at which
26 time the member shall be entitled to all the benefits and privileges of the
27 International Brotherhood provided for in this Constitution.

35.3 – Issuance of Service Cards

1 Any member of the International Brotherhood who enters the armed
2 forces shall, upon application to the Local Lodge Secretary-Treasurer,
3 receive a Service Card. The said Service Card shall provide for continu-
4 ous membership standing for so long as such member shall remain in the
5 armed forces.

35.4 – Deposit of Service Cards

1 Any member of the International Brotherhood who has received a
2 Service Card shall, within ninety (90) days of retirement or discharge from
3 the armed forces and regardless of employment status, present the Service
4 Card and discharge from the armed forces to the Secretary-Treasurer of the
5 issuing Local Lodge and sign an application for membership and pay one
6 (1) month's dues. The Secretary-Treasurer shall forward such application,
7 with Service Card and proof of discharge, together with one (1) month's
8 Per Capita Tax to the International Secretary-Treasurer.

35.5 – Retired Member's Card

1 Members of the International Brotherhood who are in good standing
2 and are:

3 **35.5.1.** Retired and receiving a pension under the Social Security Act,
4 Railroad Retirement Act, or other Governmental legislation; or

5 **35.5.2.** Retired and receiving a pension under a collective bargaining agree-
6 ment negotiated by the International Brotherhood or a subordinate body; or

7 **35.5.3.** Disabled and receiving a disability benefit under the Social
8 Security Act, Railroad Retirement Act, or other Governmental legislation;
9 may be exempt from payment of dues provided such members apply for
10 exemption through their Local Lodge and the same is approved by the
11 International President. When approved, the International President shall
12 issue a life-time membership card to such member, same to remain valid
13 as long as the member is retired from all gainful employment under the
14 provisions of Articles 35.5.1, 35.5.2, or 35.5.3.

15 Retired exempt members will be permitted to attend Local Lodge
16 meetings without voice or vote and, if requested by the International
17 Brotherhood or Local Lodge, may act in any official capacity.

ARTICLE 36

SALARY ADJUSTMENTS

1 **36.1** The salary set forth in Article 7.3 shall be increased by five percent
2 (5%) on August 1, 2007, and August 1 of each year thereafter; unless the
3 Executive Council determines the overall financial condition of the
4 Brotherhood's consolidated funds do not warrant same. In that situation, the
5 Executive Council may approve a lesser amount as it deems appropriate.

6 **36.2** Effective August 1, 2006, all International Representatives and staff
7 shall receive not less than a five percent (5%) wage increase. On each
8 August 1 thereafter, International Representatives and staff shall receive
9 not less than the wage increase as provided for in Article 36.1.

ARTICLE 37

MISCELLANEOUS

37.1 – Use of Funds

1 The funds of any subordinate body shall be used only for the purpose
2 of said body as specifically set forth in this Constitution and its approved
3 By-Laws. Salaries, expenses, and allowances of subordinate body officers
4 shall be set forth in approved By-Laws. A subordinate body must have
5 prior approval of the International President for the purchase, sale, lease,
6 or remodeling of real or personal property, excepting the necessary office
7 equipment and maintenance for normal operations in the administration
8 of a subordinate body.

37.2 – Title to Funds and Property

1 The funds and property of a subordinate body are trust funds for the
2 benefit of its members and shall not be divided in any manner among the
3 members of the subordinate body. Upon the surrender, forfeiture, or revo-
4 cation of its charter other than through consolidation, all funds belonging
5 to such subordinate body shall be forwarded promptly to the International
6 Secretary-Treasurer and all real estate and other property owned or held by
7 such body shall be immediately transferred and conveyed by the proper
8 legal instrument to the International Board of Trustees of the International
9 Brotherhood. The International Brotherhood, through its Board of Trustees,
10 shall be authorized to sell and liquidate such real estate and other proper-
11 ty and the proceeds arising therefrom, after the payment of expenses
12 incurred, shall be deposited with the other funds so forwarded to the
13 International Secretary-Treasurer. All such funds shall revert to the General
14 Fund of the International Brotherhood with proper record of the transfer
15 maintained by the International Secretary-Treasurer. In the event such sub-
16 ordinate body should ever be rechartered at that location, the Executive
17 Council is authorized to give approval to the transfer of an amount not to
18 exceed fifty percent (50%) of such funds from the General Fund to the cred-
19 it of the rechartered subordinate body.

37.3 – Filing of Agreements

1 It shall be the duty of all District and Local Lodge Business Managers
2 and/or Secretary-Treasurers, as the case may be, to send to the International
3 President at least one (1) copy of all Lodge collective bargaining agreements
4 and wage scales immediately upon adoption. No collective bargaining
5 agreement entered into by any subordinate body with any employer, or
6 group of employers, shall be binding upon the International Brotherhood
7 unless expressly agreed to and signed by the International Brotherhood
8 through a duly authorized representative.

37.4 – Recognition of Membership

1 Any member or any Local Lodge that refuses to recognize a paid-up
2 card of a member of the International Brotherhood who was legitimately
3 initiated or reinstated, may have the member's card or the Local Lodge's
4 charter revoked as determined by the International President and the
5 Executive Council.

37.5 – Affiliation Requirements

1 In any community where an AFL-CIO Central Body, State Federation
2 of Labor, State or Provincial Building and Construction Trades Council,
3 Local Building and Construction Trades Council, Metal Trades Council, or
4 Maritime Trades Council exists, subordinate bodies in the interest of effective
5 unionism are urged to affiliate with such AFL-CIO subordinate bodies
6 and they shall affiliate if so instructed by the International President.

37.6 – Use of Official Stationery

1 The use of official stationery shall be confined to the business of the
2 subordinate body and shall be used only by the appropriate officers.

37.7 – Litigation Responsibility

37.7.1 – Subordinate Body

1 In the event a subordinate body should instigate litigation against the
2 International Brotherhood or any officer thereof because of the enforcement
3 of any of the provisions of the Constitution and the matter is
4 resolved through the courts or otherwise in favor of the International
5 Brotherhood, the subordinate body instigating such action or actions
6 shall pay all of the costs incurred by the International Brotherhood.

37.7.2 – International Union

7 In the event the International Brotherhood should instigate litigation
8 against a subordinate body or any officer thereof because of the enforcement
9 of any of the provisions of the Constitution and the matter is
10 resolved through the courts or otherwise in favor of the subordinate
11 body, the International Brotherhood shall pay all of the costs incurred by
12 the subordinate body.

37.8 – Ritual

1 The Ritual of the International Brotherhood is made a part of this
2 Constitution as if written and set out herein.

37.9 – Agency for Service of Process

1 Only the Officers of the International Brotherhood are authorized to be
2 agents for service of processes. International Representatives, employees of
3 the International Brotherhood, or officers and employees of subordinate
4 bodies are not authorized to be agents of the International Brotherhood for
5 service of processes under any circumstances.

37.10 – Duty to Pay Financial Obligations

1 It shall be the duty of all members of the International Brotherhood to
2 pay as promptly as possible all bills incurred for food, lodging, and other
3 basic needs for themselves and their families, and to promptly repay any
4 financial indebtedness owed to any brother member; provided, however,
5 that the International Brotherhood or its subordinate bodies shall not
6 function as a collection agency or to locate debtors.

37.11 – Religious Discussions

1 All religious discussions shall be strictly prohibited and excluded
2 from the proceedings of the International Brotherhood and its subordi-
3 nate bodies.

37.12 – Rules of Order

1 Except as otherwise provided in this Constitution or in the Convention
2 rules or in approved subordinate body By-Laws, Robert’s Rules of Order
3 shall be the parliamentary law for the International Brotherhood and its
4 subordinate bodies respectively.

37.13 – Savings Clause

1 If any provision of this Constitution shall be declared invalid or inop-
2 erative by any competent authority of the executive, judicial, or adminis-
3 trative branch of federal or state government, the Executive Council shall
4 have the authority to suspend the operation of such provision during the
5 period of its invalidity. If any Article or section of this Constitution should
6 be held invalid by operation of law or by any tribunal of competent juris-
7 diction, the remainder of this Constitution or the application of such
8 Article or section to persons or circumstances other than those as to
9 which it has been held invalid, shall not be affected thereby.

Notes