

# 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) and Canadian Labour Congress (CLC)



International Headquarters

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

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## 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 10-month period — from November 20, 1929, when he was relieved of his duties by the International 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 International 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 Consolidated 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 International 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 International 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 (which dominated 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 compatible 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 Z. 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, skilled 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. Two years later, in 2005, International Secretary-Treasurer Jerry Z. Willburn retired and was succeeded by William T. Creeden.

Delegates to the 31st Consolidated Convention in July 2006 re-elected International President Newton B. Jones and International Secretary-Treasurer William T. Creeden to their first full five-year terms and returned all incumbent International Vice Presidents to office.

With the goal of reducing expenses, delegates granted authority to the International Executive Council to decrease the number of International officers (set at 11 going into the convention) through attrition. In addition, the International Executive Council was granted authority, upon the recommendation of the International President, to realign territorial sections and the administration of the divisions, and to consolidate or redistribute the duties among other officer positions in conjunction with any office elimination.

At the 32nd Consolidated Convention in July 2011, delegates re-elected all International officers by acclamation. The officers ran as a slate that included



International President Newton B. Jones, International Secretary-Treasurer William T. Creeden, and International Vice Presidents Larry McManamon, Joseph Maloney, Edward Power, J. Tom Baca, Warren Fairley, James Pressley, and D. David Haggerty.

Delegates to the 2011 convention also approved substantial structural changes to the Brotherhood that included establishing a Construction Sector Operations (CSO) Division and an Industrial Sector Operations (ISO) Division. The purpose of the CSO Division is to service members who have an employment relationship in the Construction Sector. It comprises the Construction Sector Division, the National Transient Division, the Quality Control Council, and all other construction industries.

The purpose of the ISO Division is to service members who have an employment relationship within the Industrial Sector. It comprises the Cement, Lime, Gypsum, and Allied Workers (CLGAW) Division; the Shipbuilding and Marine Division; the Railroad Division; the Stove, Furnace, Energy, and Allied Appliance Workers (SFEAW) Division; and members engaged in manufacturing, including boiler manufacturing; blacksmithing; forging; and all other non-construction industries.

## **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  
2 of 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  
5 all other subordinate bodies properly chartered by the International  
6 Brotherhood. The International Executive Council may alter or amend  
7 the name of this organization at any time to facilitate a merger with an-  
8 other compatible union. This International Brotherhood shall not be  
9 dissolved 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,  
2 good unionism is good citizenship. The purposes of this International  
3 Brotherhood are to implement the exercise of the natural right of work-  
4 ers to organize that they may more securely work with dignity; to es-  
5 tablish the contentment of freedom and security; to enable its members  
6 to participate actively in self-government; to unite into one Interna-  
7 tional Brotherhood all workers eligible for membership, regardless of  
8 religion, race, creed, color, national origin, age, or sex; to secure im-  
9 proved wages, hours, working conditions, and other economic advan-  
10 tages for the members through collective bargaining, through advance-  
11 ment of our standing in the community and in the labor movement,  
12 and through other lawful methods; to provide educational advance-  
13 ment and training for officers, employees, and members; to safeguard  
14 and promote the principle of free collective bargaining, the rights of  
15 workers, farmers, and consumers, and the security and welfare of all  
16 the people by political, educational, and other community activity; to  
17 protect and strengthen our democratic institutions and preserve and  
18 perpetuate the cherished traditions of democracy; to protect and pre-  
19 serve the union as an institution and in the performance of its legal and  
20 contractual obligations.

21 It is recognized that the problems with which this International  
22 Brotherhood is accustomed to deal are not limited to organization and  
23 collective bargaining alone, but encompass a broad spectrum of eco-  
24 nomic and social objectives as set forth above and as the union may de-  
25 termine from time to time; we, therefore, determine and assert that the  
26 participation of this International Brotherhood, individually and with  
27 other organizations, in the pursuit and attainment of the objectives set  
28 forth herein are for the sole benefit of the organization and its members.

29 This International Brotherhood will strive through collective bar-  
30 gaining for immediate objectives, such as reasonable standard of work-

31 ing conditions and hours, just compensation for work done, and an annual  
32 family living wage commensurate with our modern society. We  
33 seek the cooperation of other progressive, constructive, and intelligent  
34 combinations of workers for the attainment of these ends.

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

### **1.3 – Government**

1 The International Brotherhood, when assembled in Convention,  
2 shall be the highest tribunal of this International Brotherhood and shall  
3 have full jurisdiction over the International Brotherhood and all District  
4 and 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  
2 be in Kansas, except that the International President and the Executive  
3 Council are authorized and empowered, if they deem such action necessary  
4 and to the best interests of the International Brotherhood, to  
5 transfer 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 2016, at a time and in a city to be determined by the Executive Council.  
3 The defraying of all legitimate operating expenses, transportation  
4 expenses, Convention allowances and expenses, including, but not limited  
5 to, Convention gifts and mementos; social functions and Convention  
6 banquets, luncheons, and receptions; and entertainment of delegates,  
7 delegates’ family members, and invited guests of the Convention,  
8 shall be borne by the General Fund, and the arrangements therefor  
9 shall be made by the Executive Council. Should the General Fund be in-

10 adequate to defray all Convention expenses, such shall continue to be  
11 paid from other International union funds as determined by the Inter-  
12 national 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 Brother-  
2 hood will be eligible to cast shall be on the following basis: one (1) vote  
3 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  
5 shall be seated from any Local Lodge. The number of votes allotted to  
6 each Local Lodge shall be on the basis of the membership as shown to be  
7 in good standing as of the March report preceding the Convention, and  
8 no delegate shall be seated unless such report has been filed with the In-  
9 ternational Secretary-Treasurer on or before May 31st of such Con-  
10 vention year. There shall be no deviation from the foregoing stated months  
11 without prior approval of the Executive Council. Only Lodges instituted  
12 prior to June 1 preceding the Convention, shall be entitled to representa-  
13 tion. Any delegate whose Lodge is two (2) full months in arrears for Per  
14 Capita Tax, or other 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  
21 elected alternate; Industrial Councils — Industrial Council Representa-  
22 tive or elected alternate. They shall have voice and one (1) vote each in  
23 the proceedings of the Convention except that they shall not be entitled  
24 to vote 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 Inter-  
2 national 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

7 representative of the International Brotherhood or of a subordinate  
8 body thereof, or of the AFL-CIO, CLC, or any department thereof, or is  
9 on authorized leave of absence from any such position;

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

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

20 **2.3.4.** Shall have attended regular meetings of the Lodge as required  
21 by approved Local Lodge By-Laws to establish eligibility, and;

22 **2.3.5.** Who is not disqualified under Article 25.4.5.

23 There shall be no deviation from the foregoing qualifications of dele-  
24 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 of-  
3 fice, as provided in this Constitution or in approved By-Laws. Nomina-  
4 tions of such delegates shall be held in the month of March and elec-  
5 tions shall be held in the month of April at a regular or special meeting,  
6 unless otherwise approved by the International President. The proced-  
7 ure for nominations and election of delegates shall be in accordance  
8 with procedures for nominations and election of Local Lodge officers as  
9 set forth in Article 25. Those nominees for delegate who fail to receive a  
10 sufficient number of votes to be named delegate shall be designated as  
11 alternates, in the order of number of votes received, to serve in case of  
12 death, illness, resignation, 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 ad-  
15 dress at least fifteen (15) days prior to such date; and notice of the date,  
16 time, and place of election shall be mailed to each member in good stand-  
17 ing to the member's last-known home address at least thirty (30) days  
18 prior to such date; provided, however, that such notices may be combined  
19 in one notice. The foregoing provisions of this section shall not apply in  
20 the case of District Lodge and Industrial Council delegates selected pur-  
21 suant to the provisions of Article 2.2.2. An International Officer by virtue  
22 of office shall be seated as a delegate-at-large with voice and one (1) vote  
23 in the proceedings of the International Convention. International Repre-  
24 sentatives who are not elected delegates from the Local Lodge in which  
25 they hold membership, or a retired International Officer, or a full-time of-

26 ficer or representative of the AFL-CIO, CLC, or any department thereof  
27 shall, with the approval of the International President, be seated as dele-  
28 gates-at-large 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 Conven-  
4 tion. Credentials must be returned to the International Secretary-Trea-  
5 surer no later than thirty (30) days prior to the date of the convening of  
6 the 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 ob-  
4 tained 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 Fifty Dollars and Eight Cents (\$150.08)  
7 per night (receipts required for plane fare and hotel), and Two Hundred  
8 Fifty Dollars (\$250.00) per day allowance to be paid by the International  
9 Secretary-Treasurer from the General Fund. Said allowance shall apply  
10 for the number of days the Convention is in session and the two (2) days  
11 prior to the date of the convening of the Convention and the two (2) days  
12 following the date of adjournment of the Convention. The per day al-  
13 lowance set forth herein shall be payable for the 32nd Consolidated Con-  
14 vention. Effective for the 33rd Consolidated Convention, the above refer-  
15 enced delegate expenses and allowance shall not be paid by the Interna-  
16 tional unless the delegate stays in a room which is part of the negotiated  
17 block of rooms at the hotel where the Convention is held.

### **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 In-  
2 ternational Brotherhood, preserve order, and enforce the laws thereof.  
3 The International President shall decide all questions of order and all  
4 constitutional questions, subject to appeal to the Convention.

## **2.9 – Submission of Resolutions by Subordinate Bodies**

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

## **2.10 – Appointment of Committees and Their Duties**

### **2.10.1 – Committees**

1 The International President shall appoint the following Committees,  
2 to consist of not less than five (5) members each: Committee on Consti-  
3 tution and Law, Committee on Resolutions, Committee on Credentials,  
4 Committee on Rules, Committee on Officers Report, Committee on Of-  
5 ficial 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  
9 on Credentials, and the Committee on Resolutions, to be chosen from  
10 the different sections under the jurisdiction of the International Brother-  
11 hood from among the delegates elected to the Convention. These Com-  
12 mittees shall meet upon the call of the International President prior to  
13 the convening of the Convention and shall be ready to report to the  
14 Convention, in written form, on all matters under their respective juris-  
15 diction, as soon 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 de-  
18 termined 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  
2 consider all resolutions and reports which propose to change, alter, or  
3 revise the International Brotherhood Constitution. The Committee shall  
4 report to the Convention such proposed amendments or resolutions referred  
5 to it with recommendations, together with such other amendments  
6 as it 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  
9 and report the same to the Convention, with recommendations.

### **2.11.3 – Credentials**

10 The Committee on Credentials shall examine and report upon the  
11 credentials 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  
14 for the government of the Convention while in session as it may deem  
15 just 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 International  
19 Brotherhood.

### **2.11.6 – Official Publication**

20 The Committee on Official Publication shall make such recommendations  
21 to the Convention regarding the official publication as in its  
22 judgment 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 correct,  
24 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 completion  
3 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 Pres-  
2 ident.
- 3 Second – Report of Committee on Credentials.
- 4 Third – Appointment of Convention Committees.
- 5 Fourth – Report of Committee on Rules.
- 6 Fifth – Report of International Officers.
- 7 Sixth – Presentation and distribution of resolutions and constitu-  
8 tional amendments.
- 9 Seventh – Report of Committees: (a) Resolutions; (b) Constitution and  
10 Law; (c) Official Publication; (d) Officers Report; (e) Finance;  
11 (f) other Committees on Convention business.
- 12 Eighth – Nominations and election of International Officers.
- 13 Ninth – Unfinished business.
- 14 Tenth – New business.
- 15 Eleventh – Closing.
- 16 The Convention, acting upon a report of the Rules Committee, may  
17 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 sub-  
3 ordinate 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 sub-  
2 ordinate body by resolution, as provided in Article 2.9. The Interna-  
3 tional President, the Executive Council, or the Committee on Constitu-  
4 tion and Law may submit proposals to amend the Constitution at any  
5 time up to, but not including the last day of the Convention.

##### **3.4 – Effective Date**

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

### **3.5 – Corrections**

1 The Executive Council shall have the authority, following Con-  
2 vention adoption of amendments to this Constitution, but prior to printing  
3 thereof, to make such corrections, typographical, grammatical, punctu-  
4 ational or otherwise, including titling, the supplying or remedying of  
5 inadvertent omissions or errors, as are necessary to carry out the spirit  
6 and intent 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-Trea-  
3 surer and seven (7) International Vice Presidents.

#### **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 at-  
3 tendance at the Convention. Candidates nominated must be present to  
4 accept the nomination unless prevented by official union duties, sick-  
5 ness, or some other unavoidable circumstances, provided that in the  
6 case of any such absence, the candidate desiring to be nominated shall  
7 notify the Convention presiding officer in writing that the candidate  
8 will accept if nominated.

#### **4.3 – Territorial Sections**

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

6 Western States Section: States of Alaska, Arizona, California, Col-  
7 orado, 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, Iowa, Kansas, Michi-  
10 gan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South  
11 Dakota, and Wisconsin.

12 Northeast Section: States of Connecticut, Delaware, Maine, Mary-  
13 land, Massachusetts, New Hampshire, New Jersey, New York, Pennsyl-  
14 vania, Rhode Island, Vermont, Virginia, West Virginia, and the District  
15 of Columbia.

16 Southeast Section: States of Alabama, Arkansas, Florida, Georgia,  
17 Kentucky, Louisiana, Mississippi, North Carolina, Oklahoma, South

18 Carolina, Tennessee, Texas, Puerto Rico, Isthmus of Panama, and the  
19 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 Interna-  
24 tional Vice President from such section. The International President, In-  
25 ternational Secretary-Treasurer and International Vice President Indus-  
26 trial Sector may maintain membership in any area within the jurisdic-  
27 tion 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 del-  
2 egates assembled at the regular Convention. In the case of a contest in  
3 any International Office, the officer in question shall be elected by roll-  
4 call vote of the accredited delegates present and voting their voting  
5 strength as provided for in Article 2.2.1, the candidate receiving the  
6 highest vote to 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 Presi-  
2 dent is empowered to fill by appointment all vacancies in International  
3 Office occasioned by death, resignation, or otherwise, when approved  
4 by majority vote of the Executive Council, until the next succeeding In-  
5 ternational Brotherhood Convention; in the event of a vacancy in the of-  
6 fice of International President such vacancy shall be filled for the bal-  
7 ance of the 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 Local  
2 Union Officers.

##### **4.6.2 – Severance Pay**

3 When an International Officer retires or dies while in office, the Offi-  
4 cer or Officer's beneficiaries shall be entitled to receive as severance  
5 pay the equivalent of three (3) months' salary or one (1) week's salary  
6 for each year of full-time service, whichever is greater, except that such  
7 amount shall not 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 In-  
2 ternational Brotherhood or of a subordinate body who shall engage in  
3 any business outside of the regular duties of the International Brother-  
4 hood shall immediately upon engaging in such outside business resign  
5 or apply for leave of absence and vacate the office, provided that noth-  
6 ing herein shall be construed as to prohibit the holding of elective or ap-  
7 pointed office in the AFL-CIO, CLC, or any department thereof, or in  
8 Building Trades Councils, Metal Trades Councils, Central Bodies, or  
9 State Federations chartered by the AFL-CIO with which subordinate  
10 bodies are affiliated or CLC, provided that the Executive Council may  
11 permit exceptions to the above.

### **ARTICLE 5**

#### **EXECUTIVE COUNCIL AND DUTIES**

##### **5.1 – Composition**

1 The Executive Council shall be composed of the International Presi-  
2 dent and the International Vice Presidents.

##### **5.2 – General Duties of Executive Council**

1 The Executive Council shall have governing authority over the Inter-  
2 national Brotherhood and its subordinate bodies when not in Conven-  
3 tion session to the end of upholding the laws and policies of the Broth-  
4 erhood as expressed in this Constitution; provided, however, that ex-  
5 cept 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 admin-  
8 istration of collective bargaining agreements, and engaging in eco-  
9 nomic activity to that end where not done by the International Brother-  
10 hood itself; and provided further, that the International Brotherhood  
11 shall not be responsible for any actions, activities, or omissions of any  
12 of its subordinate bodies or their representatives unless the same were  
13 authorized or directed by the International Brotherhood. The Executive  
14 Council shall have the power to supervise all business and financial af-  
15 fairs of the International union and to authorize all expenditures  
16 deemed necessary to effectuate or accomplish the objectives of this In-  
17 ternational union, as set forth in Article 1.2 and other applicable provi-  
18 sions of the union's Constitution, or for its benefit. With the exception  
19 of the International President, when an International Officer retires, or  
20 for any reason vacates the office during an elected term, the Executive  
21 Council, upon the recommendation of the International President, shall  
22 have the authority to: eliminate the vacated office; realign the territorial  
23 sections set forth in Article 4.3; and consolidate and/or redistribute the

24 duties of the vacated office to one or more of the remaining Officers.  
25 The Executive Council shall have authority, upon recommendation of  
26 the International President, to continue to maintain, modify, imple-  
27 ment, and/or administer retirement, health care, and other benefit pro-  
28 grams for the benefit of officers, staff, and employees of the Interna-  
29 tional union, and their dependents. The Executive Council shall have  
30 the authority to consummate a merger or affiliation of another labor or-  
31 ganization into the International union, including the authority to in-  
32 crease 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 ex-  
35 penditures by the International union, its officers, and staff. The Execu-  
36 tive Council shall have the authority to continue the transportation pol-  
37 icy replacing in whole or in part the automobile allowance set forth in  
38 Articles 7 and 8 or to change said allowance if the adoption of said pol-  
39 icy or change is in the best interest of the International union, or, in-  
40 lieu-of any such allowance, to purchase and maintain automobiles for  
41 the use of designated officers and/or staff. The Executive Council shall  
42 have the authority, acting upon a recommendation of the International  
43 President, to adopt a relocation allowance policy which shall be appli-  
44 cable to officers and staff who are directed to relocate their home point  
45 and as a consequence incur significant economic expenditures or losses.  
46 The Executive Council shall be empowered to establish and/or charter  
47 subordinate bodies and to establish, and/or change the geographical  
48 location of such subordinate bodies and to establish, define, and change  
49 their geographic and trade or work jurisdiction. The Executive Council  
50 shall have the authority to determine whether or not a Local Lodge  
51 shall be affiliated or disaffiliated with a Council or District Lodge. The  
52 Executive Council shall have authority to establish rules and regula-  
53 tions to properly administer the provisions of this Constitution where  
54 they are not specifically spelled out herein and are not inconsistent  
55 therewith. It shall have the power to pass on any subject, proposition,  
56 or grievance, and hear and determine all cases of appeal from the deci-  
57 sions and rulings of the International President which are filed by regis-  
58 tered or certified mail with the Executive Council within thirty (30)  
59 days of the date of such decision or ruling, except as provided in Arti-  
60 cles 25.5 and 25.8, and of subordinate bodies, or involving any member  
61 or officer within the International Brotherhood, or any appointed repre-  
62 sentative. In all matters which are to be decided and acted upon by the  
63 Executive Council, a member or officer of the Brotherhood or a panel  
64 duly appointed by the International President may act in the matter  
65 with required report to the Executive Council for decision by the Execu-  
66 tive Council. All decisions of the Executive Council shall be final, ex-  
67 cept as provided in Article 17.6.3.

**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  
70 shall have the authority to require that Local Lodge to direct the em-  
71 ployer in writing that monthly dues check-off shall be submitted di-  
72 rectly to the International Secretary-Treasurer’s office. In the event the  
73 employer refuses to comply with the Local Lodge’s written directive,  
74 the Local Lodge shall, immediately upon receipt of the employer’s dues  
75 check-off, endorse the employer’s dues check-off check over to the In-  
76 ternational Secretary-Treasurer and forward same with all supporting  
77 documents to the International Secretary-Treasurer’s office by certified  
78 mail. The International Secretary-Treasurer’s office shall remit to the  
79 Local Lodge that portion of the monthly dues receipts that are normally  
80 retained by the Local Lodge.

**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 ex-  
83 penses incurred by International staff and/or auditors in order to bring  
84 the Local Lodge into compliance with its reporting and recordkeeping  
85 duties 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 is-  
4 suance. Such jurisdiction shall continue unless and until the Interna-  
5 tional President should determine to enlarge or restrict such jurisdic-  
6 tion as, in his judgment, the interests of the International Brotherhood  
7 require. Any decision of the International President to enlarge or re-  
8 strict the jurisdiction of a subordinate body is subject to review by the  
9 Executive Council upon appeal.

**5.4 – Consolidation of District and  
Local Lodges and Offices Thereof**

**5.4.1 – Consolidation of Lodges**

1 The International President shall have authority to consolidate two  
2 and/or more District or Local Lodges in any area if, in his judgment,  
3 the interests of the International Brotherhood and of the members in-  
4 volved so require. In directing a consolidation it shall be the duty of the  
5 International President to safeguard and protect the membership rights

6 of persons affected by or involved in any consolidation and to safe-  
7 guard and protect the properties, funds, and assets of the District  
8 and/or Local Lodges which are being consolidated so that such proper-  
9 ties, funds, and assets become the property of the consolidated Lodge,  
10 less the costs incurred by the International in effectuating such consoli-  
11 dation. Any decision by the International President pursuant to this  
12 provision is subject to review by the Executive Council upon appeal.

#### **5.4.2 – Consolidation of Offices**

13 In any case where two or more District or Local Lodges are to be con-  
14 solidated pursuant to this section, the Executive Council shall have au-  
15 thority to consolidate the offices of such Lodges provided that the in-  
16 volved Lodges have been unable or are unwilling to agree upon a con-  
17 solidation of offices satisfactory to the Executive Council.

18 The Executive Council shall also have authority to consolidate of-  
19 fices within a District or Local Lodge if, in the judgment of the Execu-  
20 tive Council, the interests of the International Brotherhood and of the  
21 Lodge so require. All officers of District and Local Lodges shall take of-  
22 fice subject to the above provisions.

#### **5.5 – Issuance of Local Lodge Charters**

1 The International President will have authority to issue Local Lodge  
2 charters.

#### **5.6 – Minimum Requirements for Maintaining Local Lodge Charters**

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



## **5.7 – Grievance Adjustment Procedures**

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

## **5.8 – Meetings of Executive Council**

1 The Executive Council shall meet on call of the International Presi-  
2 dent as conditions warrant, but shall meet at least semi-annually, and  
3 shall meet immediately preceding and following each Convention. Its  
4 decisions shall be governed by majority vote. A majority of the Council  
5 shall constitute a quorum. When not in formal session, the Executive  
6 Council may act on any matter by letter, telephone, facsimile, e-mail, or  
7 any other means as determined appropriate by the International Presi-  
8 dent. All action not taken at a formal Council session shall be confirmed  
9 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  
3 “Board of Trustees,” consisting of the International President, Interna-  
4 tional 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  
3 to hold in their names or in the name of their nominee, the legal title to  
4 all real and personal property owned, possessed, and belonging to this  
5 International Brotherhood, in trust nevertheless, for the use and benefit  
6 of the International Brotherhood and the members thereof. No member  
7 of the Board of Trustees or any successor, as such, nor anyone claiming  
8 by, through, or under such individual, shall have or be vested with any  
9 personal 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 op-  
2 erate the property and invest the funds of this International Brother-  
3 hood. All investments shall be of the type as shall conform to the stan-  
4 dards for investments made by fiduciaries under the laws of the State of  
5 Kansas or the District of Columbia, except that the Executive Council  
6 may authorize the Board of Trustees to invest in other properly secured  
7 investments 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,  
3 lease, trade or exchange, improve or repair any real or personal prop-  
4 erty, and to execute contracts, assignments, deeds, conveyances, mort-  
5 gages, liens, and other instruments of writing, concerning any or all of  
6 such property for and on behalf of this International Brotherhood,  
7 wherever the same 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, how-  
3 ever, that any deed, mortgage, or other instrument conveying title to or  
4 any interest in real or personal property of this International Brother-  
5 hood, or any written lease covering any portion of such property, shall  
6 be executed by at 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  
2 successor has been duly selected and qualified. In case of the death, resig-  
3 nation, or removal of any of the members of the Board of Trustees, the Ex-  
4 ecutive 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  
6 the Board of Trustees and the successor or successors so designated;  
7 and in any such event, no further written instrument, deed, con-  
8 veyance, disclaimer, or other acquittance shall be required to complete  
9 the transfer and vest the full legal title to all of such property in the sur-  
10 viving and successor 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 ad-  
2 ministrative officer of the International Brotherhood and shall enforce all  
3 its laws according to its Constitution and policies set down by its Conven-  
4 tions and the Executive Council. The International President shall have  
5 direction and supervision of all subordinate bodies in connection there-  
6 with and shall exercise day to day supervision over the affairs of the In-  
7 ternational Brotherhood, all to the end of obtaining compliance with the  
8 laws and policies of the International Brotherhood as set forth in this Con-  
9 stitution; provided, however, that except to the extent necessary to ac-  
10 complish such purposes, the subordinate bodies of the Brotherhood shall  
11 have autonomy in the conduct of their affairs, including organizing activi-  
12 ties 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 au-  
20 thorized to appoint officers pro tem of the International Brotherhood and  
21 of its District and Local Lodges and all committees not otherwise pro-  
22 vided for. The International President shall countersign all orders for pay-  
23 ment of money, and shall have authority to make such expenditures from  
24 the funds of the International Brotherhood as are necessary for the protec-  
25 tion of its interests and the achievement of its objectives as approved by  
26 the Executive Council. The International President shall be empowered to  
27 designate any member of the International Brotherhood to perform any  
28 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 Brother-

36 hood as provided in Article 19.1: Shipbuilding and Marine, Construction,  
37 and Industrial Plants and Shops. For conventions of any other organiza-  
38 tion with which the International Brotherhood may be affiliated, appoint-  
39 ment of delegates shall be at the International President's discretion.

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

### **7.2 – Constitutional Interpretations**

1 The International President shall hear and decide all questions in-  
2 volving interpretation or application of this Constitution or of subordi-  
3 nate body By-Laws, and all decisions shall be binding unless reversed  
4 or modified by the Executive Council upon proper appeal.

### **7.3 – Salary and Expenses**

1 Effective August 1, 2011, the International President shall receive a  
2 salary of Six Thousand Five Hundred-Thirty-Eight Dollars and Forty-  
3 Six Cents (\$6,538.46) per week, plus allowances and expenses.

### **7.4 – International Representatives**

1 The International President shall be empowered to appoint Interna-  
2 tional Representatives whose salary shall not exceed fifty-five percent  
3 (55%) of the International President's salary, per month, payable semi-  
4 monthly. They shall each, in addition to the salary approved by the In-  
5 ternational 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,  
8 the 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 Execu-  
13 tive Council shall have authority to amend the allowances and expen-  
14 ses as set forth herein and/or to replace same with alternative expen-  
15 ses 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

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

### **7.6 – Employment of Official Auditor**

1 The International President shall employ, subject to the approval of  
2 the Executive Council, a certified public accountant to examine the  
3 books and records of the International Brotherhood at the headquarters  
4 office and to make an audit which the auditor shall submit together  
5 with a report of the auditor's findings to the Executive Council annually,  
6 or as otherwise directed by the International President and the Executive  
7 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 activities  
3 of the International Brotherhood between Conventions.

### **7.8 – Financial Assistance**

1 The International President shall have authority to grant financial assistance  
2 to subordinate bodies when in the International President's judgment the best  
3 interests of the International Brotherhood so require and where the conditions  
4 of Article 28.2.3 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  
2 the operation of subordinate bodies, including servicing of such bodies  
3 and 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  
6 as 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  
11 the 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,  
14 the International Vice President or a duly-designated representative,

15 shall have the power to enter any subordinate body and conduct an ex-  
16 amination or audit of the books and accounts of such subordinate body  
17 and, if necessary, to take whatever steps are required to correct the situa-  
18 tion, subject 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; pro-  
4 vided, however, that the Executive Council shall have the authority to  
5 amend and/or to replace such allowances and expenses with alterna-  
6 tive allowances and expenses.

## **ARTICLE 9**

### **DUTIES OF THE INTERNATIONAL SECRETARY-TREASURER**

#### **9.1 – General Duties**

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

#### **9.2 – Supplies**

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

### **9.3 – Keeping of Accounts**

1 The International Secretary-Treasurer shall keep a systematic ac-  
2 count of all transactions between the International Brotherhood and the  
3 subordinate bodies, so as to render a strict account of all receipts and  
4 supplies. The International Secretary-Treasurer shall issue to each sub-  
5 ordinate body and to the Executive Council, after the close of the fiscal  
6 year (June 30th), an annual financial report as directed by the Executive  
7 Council. Said report shall show an itemized account of all receipts and  
8 disbursements, 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  
12 record of the membership; and shall make such changes from time to  
13 time as may be necessary through transfer, withdrawal, suspension, ex-  
14 pulsion, or death of members to keep such roll current. The Interna-  
15 tional Secretary-Treasurer shall, upon assuming office, furnish bond as  
16 required by law, which shall be taken out in some reliable guaranty  
17 company, the expense of the same to be borne by the International  
18 Brotherhood.

### **9.4 – Salary and Expenses**

1 The International Secretary-Treasurer shall receive a salary equiva-  
2 lent to ninety percent (90%) of the International President's constitu-  
3 tionally-established salary, payable weekly, plus allowances and ex-  
4 penses, and shall be under the supervision of the International Presi-  
5 dent.

### **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  
3 subordinate bodies of the Brotherhood and with the approval of the In-  
4 ternational 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 Inter-  
4 national President. The International President is authorized to make  
5 such expenditures in connection with the publication, operation, and  
6 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  
3 work, subject of course, to joint agreements with other International  
4 unions 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 di-  
4 aaphragms, 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 re-  
9 pair; cylinder and dome casings, brackets for air pumps, air pumps,  
10 head lights, dynamos, oil heaters, and classification lights; wind sheets,  
11 deck plates, deck aprons, shovel sheets, splash plates, expansion plates,  
12 and lateral braces; locomotive tender tanks, tender tank frames and ten-  
13 der tank truck frames, grab irons, hand rails, and metal ladders; build-  
14 ing, repairing, and applying snow plows, derricks for wreckers, power  
15 shovels and pile drivers, building oil and gravel spreaders; body  
16 frames on electric or diesel locomotives, body underframes and all  
17 body, cab, and housing work, gear casings and wheel covers, battery  
18 boxes, ventilator covers, and grid panels; motor housing, name, and  
19 classification plates; oil tanks, tanks of tank cars, including brackets,  
20 hand rails, ladders, and metal jackets when used on same; all laying-  
21 out, cutting, bending, flanging, fitting up, patching, bolting, riveting,  
22 chipping, caulking, drilling, reaming, tapping, and beveling machines,  
23 including fitting of washout plugs; testing and inspecting all vapor,  
24 steam, water, air, gas, oil, or other tight joints, including all stays,  
25 braces, and water tight studs; acetylene cutting, welding, and heating;  
26 electric arc welding; metalizing; all I-beams, channel iron, angle iron, T-  
27 iron, Z-iron, and other structural forms used on work of our trade; tool  
28 keeping, boiler washing, flue blowing, boring, or washing. Thickness of  
29 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 de-  
2 vice 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, weld-  
5 ing (all processes), bonding, metalizing, mamutizing and application of  
6 apexior coating, construction, erecting, assembling, installation, remodel-  
7 ing, repairing, wrecking, alteration, testing, inspecting, maintaining,



8 rigging, unloading and handling of all boilers and appurtenances,  
9 headers, parts, frames, supports; air and water walls; casings, assem-  
10 bled or completed sections or parts; drums, tubes and flues; baffles and  
11 draft appliances; economizers, super heaters, circulators, attempora-  
12 tors, downcomers, sludge boxes and sluice troughs, stokers; grates,  
13 heat units; buck stays; fronts and doors; stacks, breechings, and up-  
14 takes; soot collectors and blowers, smoke boxes, smoke consumers, cin-  
15 der collectors, precipitators, furnaces and furnace bottoms, steam gen-  
16 erators, including nuclear; heaters; steam accumulators, condensers,  
17 evaporators, air heaters and pre-heaters, hot and cold air ducts, and  
18 fans; oil and gas burners, coal tanks, ash tanks, waste disposal tanks,  
19 other tanks and vats, conveyors, scrapers, all air, oil, gas, steam, vapor,  
20 water, and other tight joints; stand pipes, water towers, metal pipe and  
21 pipe lines, metal well casings, incinerators, air washers, cooking de-  
22 vices, creosoting cylinders, gas purifying equipment, gas holders, gas-  
23 ometers, including frames; coal washers; all work in and around rolling  
24 mills, mines, smelters, refineries, chemical processing, rubber, feed ma-  
25 terial, and fuel element plants; blast and open hearth furnaces; alu-  
26 minum, annealing, electrical, gas fired, heat treat, isoflow, reheat, stoker  
27 fired, and all other type furnaces; hot stoves, cupolas, dump cars, roas-  
28 ters, converters, digesters, calciners, kilns, skips and skip dumpers, skip  
29 trucks, steel chutes, and liners; ore, water and toilet cars, chutes, steel  
30 bulkhead, and doors; water, flood, and measuring gates; locks, dams,  
31 caissons, spillways, penstocks, sluice and tube work, flume work, water  
32 wheels, generator frames, turbine casings, and blades; recovery units,  
33 deaerators, cracking units, bubble towers, wind tunnels; all sheet iron  
34 or steel, stainless steel, aluminum, silver, all other pure metals, alloys  
35 and plates, including clad or bonded plates of sixteen (16) gauge or  
36 heavier, in shops or field construction work, except where agreements  
37 exist with other international unions.

1 **11.3.** The manufacturing, fabrication, laying out, construction, erection,  
2 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, includ-  
6 ing the following work: shearing, beveling and grinding, cutting, chip-  
7 ping, punching, riveting, caulking, drilling, bolting, tapping, reaming,  
8 rolling, forming, fairing, aligning, erecting, raising, handling, and rig-  
9 ging; rigging loft; acetylene and other cutting; burning and heating;  
10 welding, all processes; oil, water, or other tight shiptanks, bins, vats,  
11 and hoppers; mold doors, ventilators, foundations, pillars, stanchions,  
12 inboard and outboard fittings, hawse pipes, bits, chocks, plugs, pads,  
13 ring bolts, railings, ladders, grating, doublers, stiffening rings, fire-en-  
14 gine room, and portable floors and platforms; all fittings, boiler mak-

15 ing, mold lofting, anglesmithing, shipfitting, scaffold building (steel, in-  
16 cluding pre-fitted planks), frame bending (hot or cold), iron hanging  
17 and erecting, keel laying, main and auxiliary docking keel, stem and  
18 stern posts, struts, framing beams; docks, superstructure, bridges, fight-  
19 ing tops, and enclosures; gun ports, hatches, man holes, scuppers, am-  
20 munition hoists and boxes, cartridge boxes, ducts, trunks, cowels, serv-  
21 ice lockers, turrets, drip pans, water sheds, metal reels, boat stowage,  
22 warping, food and deck gear, davits, searchlight platforms; metal fit-  
23 tings in connection with ground tackle; leadsmen platforms, skylights;  
24 stacks, breeching, uptakes and connections funnels, decks, landing  
25 decks on airplane carriers, including airplane and other elevators;  
26 docking and undocking of all types of ships and vessels.

1 **11.4.** All nuclear reactors, both homogenous and heterogeneous, 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  
4 rods, core tanks, thermal and biological shields, core tank containment,  
5 reflectors, breeding material, controls and instrumentation, plugs, pres-  
6 sure and containment vessels, loading devices, transfer equipment,  
7 coffins, pressurizers, heat transfer equipment (primary and secondary),  
8 coolant containers, air ducts, fans, stacks, cold and hot traps, ion cham-  
9 bers, dump tanks, caves and hot cells, fuel element, storage racks,  
10 decay tanks, sampling devices, rabbit holds and thimbles, seals, and en-  
11 vironmental 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, construc-  
3 tion, installation, alteration, repairs, etc., on work coming under the ju-  
4 risdiction of this International Brotherhood shall be operated and per-  
5 formed by mechanics of our trade, for example: power and rolls; bend-  
6 ing machines, hot or cold; flanging machines; hydraulic presses, hot or  
7 cold; punches, shears, plate planes, power and friction saws, bolt cut-  
8 ters and threaders, tube welding and swedging machines; bull, jam,  
9 and yoke riveters; portable air and electric motors; heating, annealing,  
10 and heat treating furnaces and devices; welding and pantograph cut-  
11 ting machines, including demonstrators, thermal overlay, bottle spark,  
12 and man way watch pertaining thereto; quality control; fiber spinning;  
13 all technical work (technicians and mechanics).

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 boiler-  
6 maker 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  
3 and steel, both hot or cold; all blacksmiths' work on structural shaped  
4 steel; all forging, tempering, and dressing of tools, including sharp edge  
5 tools and instruments; bending and straightening of angle iron, channel  
6 iron, T-iron, and I-beam, whether done hot or cold, from furnaces or  
7 fires; operating forging and upsetting machines, drop forging and trim-  
8 mers, both hot or cold; axle forgers, bolt machines, bulldozer and ma-  
9 chine work, or any machine doing blacksmith work; all work per-  
10 formed on Bradley hammer; punch and shear machines, when con-  
11 nected with the blacksmith department, hot or cold; hand, steam, or air  
12 press machines, all frames on engines, cars, tanks, and trucks, all weld-  
13 ing of rails, building up switch points and frogs, and all track work; all  
14 dredge dipper and steam shovel work; hardeners, case hardeners, an-  
15 nealers, and heat treaters, and the 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; build-  
3 ing and rebuilding fire trucks; making and repairing all springs, putting  
4 on and taking off all springs, making all springs and spring fitting, set-  
5 ting and riveting when done in conjunction with blacksmith work;  
6 grinding pertaining to blacksmith work; benders, resetters, bath men,  
7 forgers, and finishers.

1       **11.9.** Putting on and taking off rubber tires, putting flanges on  
2 wheels, putting on and repairing bumpers, putting on and taking off  
3 wheels, putting on and riveting fiber on brake bands, putting on and  
4 taking off radius rods, putting on pyrene brackets, repairing and setting  
5 all axles, straightening and repairing of auto frames, putting on brack-  
6 ets for radiators, fitting up windshields, putting handles on doors, fit-  
7 ting hand rails on backs of auto, fitting up gongs. All drilling and filing,  
8 lining up wheels, adjusting brake rods, tip welding and tiresetting,  
9 making and putting on license brackets, headlight brackets, making  
10 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 weld-  
6 ing; chain making, tool dressing, granite tool sharpening, ornamental  
7 and structural iron smithing; punch, shear, and roll operating; automo-  
8 bile and vehicle smithing and finishing; spring making, mine smithing,  
9 glass house smithing, rock drill sharpening, tempering, case hardening,  
10 bi-chloride tempering, annealing, and heat treating; air and hydraulic

11 presses, hot or cold, in connection with blacksmiths' work; lever and  
12 crane operating, stocksmen; carriage and wagon smithing and finish-  
13 ing; machine forging, aeroplane smithing, surgical instruments and  
14 sharp edge tool making, dock smithing, inside iron and grill work, hot  
15 or cold press and stamping machines, construction smithing, safemak-  
16 ing equipment, 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  
3 within the scope of the jurisdiction of the International Brotherhood of  
4 Boilermakers, Iron Ship Builders, Blacksmiths, Forgers, and Helpers,  
5 shall constitute work coming under its jurisdiction, and shall be per-  
6 formed by 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 be-  
3 tween 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 Constitu-  
3 tion payable monthly on dues receipts of all members of all subordinate  
4 bodies of the Brotherhood and on any receipts from agency shop, Rand  
5 Formula, or other similar arrangements; (b) initiation and reinstatement  
6 fees; (c) fees and charges as prescribed by this Constitution; (d)  
7 supplies for which charges are levied to subordinate bodies; (e) invest-  
8 ments; and (f) such other sources as may be determined by the Execu-  
9 tive Council, consistent with this Constitution.

**12.2 – Taxes and Fees**

**12.2.1 – Schedule of Taxes and Fees**

1 Effective October 1, 2011, the amounts of the above taxes, fees, and  
2 charges, which are payable to the International Brotherhood, shall be as  
3 follows:



5 the tax, fee, or charge amount set forth in Article 12.2, with the next  
6 monthly 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 re-  
5 spective 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,  
3 or employee has been made and accepted by the appropriate body and  
4 the 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 by  
2 the International Brotherhood shall be deposited in the General Fund. The  
3 General Fund may be used for the payment of all debts and obligations of  
4 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 eligi-  
7 ble members who had twenty-five (25) years or more of continuous  
8 participating membership in the International Brotherhood as of Au-  
9 gust 1, 1970, 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  
2 be paid from the General Fund.

### **15.3 – Definitions**

1 The following definitions shall apply to the terms used in this Arti-  
2 cle:

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

7 **15.3.2.** The term “continuous participating membership” shall mean  
8 the uninterrupted period during which Death Benefit contributions  
9 have been continuously paid from the date of initiation, or last rein-  
10 statement, or deposit of a Withdrawal Card or a Severance Card, to the  
11 date of eligibility, 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 un-  
4 avoidable circumstances. Upon receipt of notice, the International Secre-  
5 tary-Treasurer shall mail to the person or persons entitled to make claims, a  
6 form for the purpose of furnishing proof of death. The completed form  
7 along with a certified death certificate shall be submitted to the Interna-  
8 tional Secretary-Treasurer at the headquarters office within thirty (30) days  
9 after the receipt of such form. Failure to comply with the requirements of  
10 this section shall relieve the International Brotherhood from any liability to  
11 a member or a member’s beneficiaries on account of death.

### **15.5 – Beneficiaries**

1 An eligible member shall initially designate one or more beneficiar-  
2 ies on a form to be furnished by the International Secretary-Treasurer  
3 and a change of beneficiaries may thereafter be effected by filing a writ-  
4 ten request with the International Secretary-Treasurer on such form.  
5 Any such change in beneficiaries shall become effective upon receipt of  
6 such written request by the 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  
3 eligible member to the extent of the sum of Five Hundred Dollars  
4 (\$500.00) and to deduct such payment from the amount of the Death  
5 Benefit 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  
4 of whether to call a strike, or to vote on a proposal from management,  
5 shall be taken by secret ballot on ballot forms to be furnished by the In-  
6 ternational Secretary-Treasurer, at a regular or special meeting of the  
7 subordinate body involved, provided that if approved or directed by  
8 the International President such secret ballot may be taken by other ap-  
9 propriate means or manner. Regardless of whether a vote is taken at a  
10 regular 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  
12 proposal 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 mem-  
17 bers who are on the current out-of-work list of Construction Lodges  
18 available for and seeking work at the time a vote is taken, shall be enti-  
19 tled to vote on a strike or a proposal for settlement. Any member who  
20 voluntarily 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,  
24 the membership shall be advised of the issues involved. It shall require  
25 a two-thirds vote of such members who are present and voting to ob-  
26 tain an authorization for a strike. Authorization to strike shall be subject  
27 to 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 partic-  
30 ipate 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 de-  
32 viation from this section must have the prior approval of the Interna-  
33 tional 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  
5 is entitled to receive such benefits as provided in this Article. The Exec-  
6 utive Council may, by majority vote, suspend payment of such benefits  
7 when the financial condition of the International Brotherhood so war-  
8 rants. Benefits shall commence to be paid on the first (1st) calendar day  
9 of unemployment due to strike, lockout, or victimization as provided  
10 herein, except that any member who has participated in a decertifica-  
11 tion effort or any action to assist another labor organization to be recog-  
12 nized as the bargaining agent shall forfeit all rights and claims to strike,  
13 lockout, or victimization benefits, subject to the approval of the Interna-  
14 tional President. Every January 1, the weekly strike benefit set forth  
15 above may be adjusted by the percentage increase in average hourly  
16 earnings in manufacturing as issued by the Bureau of Labor Statistics  
17 for the twelve (12) month period, July to July, immediately preceding  
18 an adjustment date, “rounded” 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  
6 contemplated strike to the International President setting forth the na-  
7 ture of the strike, number of persons involved, and the issues. Such re-  
8 port shall be received at International Headquarters in sufficient time to  
9 permit the International President to conduct an investigation of the sit-  
10 uation through an International Vice President or other representative  
11 assigned by the International President to perform such function.

### **16.3.3 – Investigation by International**

12 Such representative shall investigate the situation, including the reg-  
13 ularity 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 recommen-  
16 dations to the Executive Council concerning the payment of strike ben-  
17 efits. Upon receipt of such report, the members of the Executive Coun-

18 cil shall then vote on the question of whether to provide strike benefits  
19 and, if the 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  
21 thereof is involved or engaged in concerted organizing activity and di-  
22 rectly involved employees have signed an official application for mem-  
23 bership, paid the required initiation and/or reinstatement fee as deter-  
24 mined by the International President, and so recorded in the office of  
25 the International Secretary-Treasurer, said employees shall, subject to  
26 the authorization and approval of the International President as pro-  
27 vided under Article 16.1, be eligible for strike sanction and benefits in  
28 accordance with Article 16.2. The above situation shall also apply  
29 where directly involved employees within the bargaining unit are  
30 locked out or 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  
2 strike benefits is being requested, the Secretary-Treasurer of the subor-  
3 dinate body involved shall establish a strike roll in duplicate on forms  
4 provided by the International Secretary-Treasurer, containing the  
5 names, addresses, and register numbers of all members on strike or  
6 those victimized and who are claiming benefits. A copy of such roll  
7 shall be forwarded to the International Secretary-Treasurer each week  
8 that the strike or victimization is in progress. The strike or victimiza-  
9 tion roll shall be signed in accordance with instructions issued by the  
10 International Secretary-Treasurer. Only members who sign the weekly  
11 strike or victimization roll shall be eligible for benefits for such week.  
12 The strike or victimization rolls shall be kept in the official files of the  
13 subordinate body for a period of one (1) year after the termination of  
14 such strike or victimization and shall at all times be subject to inspec-  
15 tion by an authorized representative of the International President.  
16 Any member who is either gainfully employed or receiving unemploy-  
17 ment compensation, workers' compensation, or accident and sick-  
18 ness benefits, shall not be eligible to sign the weekly strike or victim-  
19 ization roll. Any member who leaves the strike area or fails to perform  
20 assigned picket duty when requested unless excused by the officer in  
21 charge shall not be eligible to sign the weekly strike or victimization  
22 roll. Members receiving strike or victimization benefits shall be enti-  
23 tled to free dues for each full calendar month the strike or victimiza-  
24 tion is in progress in which no more than four (4) days employment is  
25 received. Such benefits shall be paid by the International Secretary-  
26 Treasurer on the basis of the official strike roll. Each member receiving  
27 strike or victimization benefits shall sign a note in duplicate, and such

28 duplicate shall be forwarded to the International Secretary-Treasurer  
29 reading as follows:

30 State \_\_\_\_\_ City \_\_\_\_\_ Date \_\_\_\_\_

31 If I am either gainfully employed or receiving unem-  
32 ployment compensation, workers' compensation, or  
33 accident and sickness benefits and receive strike or vic-  
34 timization benefits during such period of time, I hereby  
35 further agree to pay back to the International Brother-  
36 hood the full amount of strike or victimization benefits  
37 received by me during such period of time.

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

42 Name \_\_\_\_\_

43 Address \_\_\_\_\_

44 Register No. \_\_\_\_\_

### **16.5 – Termination of Strike Benefits**

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

### **16.6 – Lockout or Victimization Benefits**

1 Lockout or victimization benefits in the same amount as strike bene-  
2 fits may be paid to any member in good standing who is neither gain-  
3 fully employed nor receiving unemployment compensation, workers'  
4 compensation, or accident and sickness benefits, and has lost employ-  
5 ment by reason of being locked out by the member's employer or dis-  
6 charged while acting under instructions of the member's subordinate  
7 body, or a committee of such subordinate body. Such benefits shall be

8 payable at the discretion of the International President upon approval  
9 of the Executive Council if, upon investigation, it is determined that  
10 such payments are warranted, and shall continue for such period as the  
11 lockout continues or the International President and Executive Council  
12 may determine.

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

1 Strike authorization and/or payment of strike benefits by the Inter-  
2 national Brotherhood does not constitute responsibility for, authoriza-  
3 tion, 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  
2 body, against officers of the International Brotherhood, or against a sub-  
3 ordinate body itself shall include, but shall not be limited to, any one or  
4 more of the following offenses:

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

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

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

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

15 **17.1.5.** Engaging in any activity or course of conduct contrary or  
16 detrimental to the welfare or best interest of the International Brother-  
17 hood or of a subordinate body;

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

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

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

24 **17.1.9.** Encouraging or engaging in dual unionism or in a secession-  
25 ist movement;

26 **17.1.10.** Willfully slandering or libeling a member of the Interna-  
27 tional Brotherhood or falsely or maliciously attacking the character, im-

28 pugning the motives, or questioning the integrity of any member of the  
29 International Brotherhood;

30 17.1.11. Engaging in or fomenting any acts or course of conduct  
31 which are inconsistent with the duties, obligations, and fealty of the  
32 members of a trade union and which violate sound trade union princi-  
33 ples or which constitute a breach of any existing collective bargaining  
34 agreement;

35 17.1.12. Failure to exercise responsibility toward the International  
36 Brotherhood as an institution or engaging in conduct which would in-  
37 terfere with the International Brotherhood's performance of its obliga-  
38 tions;

39 17.1.13. Threatening with violence or assaulting any union member  
40 or officer;

41 17.1.14. Causing disruption or disturbance at a union meeting or  
42 union office, interfering with the orderly conduct thereof, or appearing  
43 at any such meeting or office in an intoxicated condition;

44 17.1.15. Failure to obey orders, directions, or rulings of the presiding  
45 officer of any union meeting;

46 17.1.16. Obtaining or assisting in obtaining membership through  
47 fraudulent means or by misrepresentation. Violation of this subsection  
48 shall be punishable by revocation of membership;

49 17.1.17. Making known the business of the International Brother-  
50 hood or any subordinate body to persons not entitled to such knowl-  
51 edge;

52 17.1.18. Filing charges of violations of this Constitution maliciously  
53 or wantonly;

54 17.1.19. No member employed by any employer shall accept any  
55 contract work;

56 17.1.20. No member shall accept employment with a nonunion con-  
57 tractor without prior written approval by the Business Manager or  
58 where there is no Business Manager, by the President of the Local  
59 Lodge having the 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-  
2 Laws may be made by any member in good standing who has knowl-  
3 edge of the alleged violation. Charges shall at all times be made in good  
4 faith and within sixty (60) days after the date that the alleged violation  
5 occurred. However, this time limit will not apply to those charges  
6 wherein the basic facts and evidence pertaining thereto could not be ac-  
7 cumulated or made known within that period of time. In no event will  
8 any charge be processed which is based on an alleged violation occur-  
9 ring more than one (1) year prior to the filing of such charge except that

10 this time limit shall not apply to any charge alleging a violation of Article  
11 17.1.7. Failure to file charges in good faith or malicious or wanton  
12 filing of charges shall subject the charging party to disciplinary action  
13 and punishment. Charges shall be set forth in writing and a copy of the  
14 charges served upon the individual or body being charged by registered  
15 or certified mail, with return receipt requested to last-known address,  
16 and a copy thereof filed with the President of the Local Lodge and the  
17 International President. Charges shall set forth with sufficient  
18 definiteness to inform the accused of the nature and circumstances of  
19 the violations complained of, together with a reference to the particular  
20 subsection of Article 17.1 under which the charges were brought. If the  
21 charges are not filed in conformance with this paragraph, the International  
22 President is authorized to dismiss said charges. Article 17 proceedings  
23 are to address and remedy serious violations of this Constitution or  
24 subordinate body By-Laws. Accordingly, referral disputes shall be  
25 resolved through the referral disputes procedure, while contractual  
26 violations shall be resolved under the grievance procedure of the applicable  
27 labor agreement. Other disputes, such as personal or political disputes  
28 or differences shall be addressed through the Grievance Adjustment  
29 Procedures provided in Article 5.7 of this Constitution. The foregoing  
30 notwithstanding, circumstances may arise in which conduct implicating  
31 the collective bargaining agreement and/or referral procedures may also  
32 be appropriately addressed through Article 17 proceedings.  
33

### **17.2.2 – Notice of Trial**

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

### **17.2.3 – Dismissal of Charges**

52 In circumstances where the International President determines that it  
53 is in the best interest of the International Brotherhood and its members,  
54 the International President may direct that the charges be dismissed as  
55 lacking in merit, as involving minor disputes, or for such other reasons  
56 as the International President deems appropriate; that any or all time  
57 limits for handling said charges be held in abeyance for a reasonable  
58 period of time; or that the dispute be resolved in some other forum or in  
59 some other manner deemed by the International President to be appropriate  
60 under the circumstances; provided, however, that no penalty  
61 may be assessed against the accused member over that member's objection  
62 absent a formal hearing as provided for in this Article. If not satisfied  
63 with the International President's decision, the Charging Party  
64 may appeal, in writing, by registered or certified mail, to the Executive  
65 Council, providing the appeal is received by the Executive Council  
66 within fifteen (15) days from the date of the International President's  
67 decision. In cases of appeal, the International President will postpone  
68 further action on the dispute pending final decision from the Executive  
69 Council. The decision by the Executive Council shall be final and binding.  
70

## **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, subject  
4 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  
6 such 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  
8 of a trial body may be challenged for cause and, if the trial  
9 body finds cause to exist, such member shall vacate that position and  
10 the President shall fill such vacancy by appointment. In the event such  
11 vacancy cannot be filled by a Local Lodge officer, the Local Lodge shall  
12 elect from among the 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 violations  
14 of this Constitution by any member or subordinate body of the  
15 International Brotherhood if in the judgment of the International President  
16 the circumstances warrant. It can exercise such jurisdiction even though  
17 charges are pending before a Local Lodge. The Executive Council shall  
18 have exclusive jurisdiction to hear charges against subordinate  
19 bodies and against International Officers. Any member of the Executive

20 Council who is directly involved in the proceedings so that the Council  
21 member cannot function in an impartial manner shall not participate in  
22 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  
3 the taking of evidence may be performed by a member or officer of the  
4 Brotherhood or by a panel duly appointed by the International Presi-  
5 dent to act in the matter. The required report to the Executive Council,  
6 copy of the record made at the hearing or trial, together with exhibits  
7 will be forwarded to International Headquarters and the decision in the  
8 case shall be made by the Executive Council based on such report and  
9 record.

### **17.4.2 – Minutes of Proceedings**

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

### **17.4.3 – Representation and Cross Examination**

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

### **17.4.4 – Decision of Trial Body**

24 As soon as possible, but not more than twenty-one (21) days after the  
25 conclusion of the trial, or in cases where verbatim transcript is involved  
26 within twenty-one (21) days after receipt of transcript, unless otherwise  
27 determined by the International President, the trial body shall make a  
28 decision in writing and send a copy to the accused and other directly  
29 involved parties by registered or certified mail, with return receipt re-  
30 quested to last-known address. If the accused is found guilty, the trial  
31 body shall establish the penalty and set it forth in its decision. Penalties  
32 should be imposed 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 pe-  
3 riod, suspension from right to run for office for a stated period, suspen-  
4 sion from right to attend meetings, or if permitted to attend from the  
5 right to speak or vote at meetings for a stated period, revocation of  
6 Withdrawal Card, expulsion from membership, suspension or revoca-  
7 tion of charter, or a combination of any of the foregoing.

### **17.5.2 – Notification**

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

### **17.5.3 – Removal from Premises**

11 Any person violating the provisions of Article 17.1.14 shall be re-  
12 quired to leave the premises. If the conduct involved warrants further  
13 action, it shall be necessary to prefer charges and have a hearing con-  
14 ducted thereon 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 Ex-  
2 ecutive Council by any party adversely affected by such decision. Ap-  
3 peals 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  
7 penalties that might have been prescribed shall continue in effect, in-  
8 cluding payment of fines, unless otherwise directed by the Interna-  
9 tional President.

### **17.6.2 – Disposal of Appeal**

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

### **17.6.3 – Decisions Involving an International Officer**

13 Decisions of the Executive Council shall be final, except that deci-  
14 sions of the Executive Council finding an International Officer guilty of  
15 charges of violations of the Constitution may be appealed to the next  
16 Convention. If any such Officer desires to appeal, that Officer shall file

17 such appeal with the International Secretary-Treasurer within thirty  
18 (30) days after 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 Brother-  
4 hood so require. If it appears that a trusteeship may be necessary, such  
5 hearing shall be conducted as provided for in Article 17.4.1. The subor-  
6 dinate body involved shall be given at least ten (10) days written notice  
7 of such trusteeship hearing. Interested officers and members, including  
8 representatives of the International Brotherhood, may appear at such  
9 hearing to present evidence as to why a trusteeship should or should  
10 not be imposed. Grounds for the imposition of trusteeships shall in-  
11 clude secession or threatened secession; dissolution or threatened dis-  
12 solution; dissipation or loss of funds or assets or financial malpractice  
13 or corruption or threat thereof; violation or threatened violation of col-  
14 lective bargaining agreements; the deprivation of democratic proce-  
15 dures and other activities constituting a violation of this Constitution  
16 and threatening the welfare of the subordinate body membership or the  
17 International Brotherhood. If upon the evidence introduced at the  
18 trusteeship hearing and all the circumstances the Executive Council is  
19 satisfied that a trusteeship is required, it may impose a trusteeship for  
20 such period as it deems reasonably necessary, and place a trustee ap-  
21 pointed by the International President in charge of the activities of the  
22 subordinate body.

#### **18.2 – Administration of Trusteeship**

1 Such trustee shall have the right, upon demand, to all the funds,  
2 properties, books, and assets of the trustee body for the period that the  
3 trustee is in charge. Such properties shall be held in trust for the benefit  
4 of the subordinate body and expended only to the extent necessary for  
5 the proper conduct of the affairs of the subordinate body. The trustee  
6 shall be adequately bonded. The trustee so appointed shall be author-  
7 ized and empowered to remove any or all officers and appoint tempo-  
8 rary officers for the duration of the lodge's trusteeship and to remove or  
9 replace other representatives or employees of such trustee body, and  
10 to take such other actions as in the trustee's judgment are necessary for  
11 the preservation of the subordinate body and its assets, all subject to the  
12 direction, instructions, and approval of the International President. Any  
13 officers who may be suspended by the trustee under the provisions of  
14 this section shall surrender to the trustee upon proper receipt therefor,

15 all monies, books, and properties of the subordinate body. Temporarily-  
16 appointed officers shall be members in good standing of such subordi-  
17 nate body. At the termination of the trusteeship, the officers who have  
18 been suspended shall resume their offices for the balance of the term  
19 unless the trustee, with the approval of the International President and  
20 after hearing, determines that any particular officer shall be removed.  
21 In the event of such removal, the vacancy shall be filled under the pro-  
22 visions of this Constitution. The trustee shall be empowered to pay all  
23 claims which are properly approved if funds therefor are available and  
24 in all necessary particulars to conduct the affairs and management of  
25 the subordinate body with the assistance of the temporary officers  
26 herein provided for until the trusteeship is terminated. Expenses in-  
27 curred by reason of the trusteeship shall be paid out of the funds of the  
28 subordinate body, if they are available, otherwise they shall be borne by  
29 the International Brotherhood. During the period of trusteeship, no  
30 funds of the trustee body except normal Per Capita Tax and other fi-  
31 nancial obligations normally payable by subordinate bodies shall be  
32 transferred to the International Brotherhood unless the subordinate  
33 body is dissolved. Such trusteeship shall be continued no longer than is  
34 necessary to coordinate and reorganize the affairs of the subordinate  
35 body and shall in all events be concluded as soon as practicable within  
36 the judgment of the International President subject to the approval of  
37 the Executive Council; provided, however, that the trustee subordi-  
38 nate body shall have the right to appeal to the Executive Council for re-  
39 moval of the trusteeship if it is deemed that such trusteeship has served  
40 its purpose. If it becomes necessary to revoke permanently the charter  
41 of the subordinate body, then any balance remaining to the credit of the  
42 subordinate body and other properties shall be forwarded to the Inter-  
43 national Secretary-Treasurer.

### **18.3 – Emergency Power of the International President**

1 In any situation in the judgment of the International President,  
2 where grounds for the establishment of a trusteeship exist or grounds  
3 for suspension of a subordinate body officer exist, and in addition the  
4 activities of the subordinate body or of its officers or membership are  
5 such as to create an emergency imminently threatening the welfare,  
6 funds, or property of the subordinate body, then the International Pres-  
7 ident may summarily place a subordinate body in trusteeship, subject  
8 to a subsequent hearing by the Executive Council as set forth in Article  
9 18.1. Such hearing shall be held within fifteen (15) days after the im-  
10 position of such emergency trusteeship. If in the International President's  
11 judgment the situation warrants, the International President may at any  
12 time within thirty (30) days of the imposition of the emergency trustee-  
13 ship terminate same. In the event the International President does not

14 terminate the emergency trusteeship within thirty (30) days, the Execu-  
15 tive Council, as soon as practicable thereafter upon the evidence intro-  
16 duced at the trusteeship hearing and all the circumstances relating  
17 thereto, shall take action in 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 em-  
3 braced in its jurisdiction, the membership of this Brotherhood shall be  
4 grouped in three (3) broad divisions and twelve (12) subdivisions, as  
5 follows:

##### **19.1.1 – Ship Building and Marine**

6 Embracing (1) Commercial Yards, (2) Naval Yards, and (3) other Ma-  
7 rine Work.

##### **19.1.2 – Construction**

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

##### **19.1.3 – Industrial Plants or Shops**

10 Embracing (1) Production and Maintenance Units, (2) Craft Units  
11 (production), (3) Craft Units (maintenance), (4) Railroad Craft Units  
12 (manufacture, maintenance, and repair of railroad equipment, and in-  
13 frastructure), (5) Office–Professional–Technical Units, (6) Paramedics,  
14 and (7) 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 indus-  
4 try. The International President and Executive Council shall have au-  
5 thority to determine whether particular Lodges shall be required to af-  
6 filiate and/or remain in affiliation with a particular Council or Confer-  
7 ence.

##### **19.2.2 – Council Function**

8 It shall be the function of an Industry Council or Conference to coor-  
9 dinate activities of Local and District Lodges and of the membership in  
10 such industry, to assist in organizational work in such industry, to assist

11 in collective bargaining with a view to establishing uniform rates and  
12 conditions in such industry, and in this connection to engage in re-  
13 search and related activities on an industry-wide basis.

### **19.2.3 – Collective Bargaining**

14 The International President and Executive Council shall have au-  
15 thority to require Local Lodges affiliated with an Industry Council or  
16 Conference to engage in that type of collective bargaining which will ef-  
17 fectively promote the establishment of uniform rates and conditions in  
18 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  
5 a servicing and coordinating body, the Industrial Council shall be em-  
6 powered to engage or assist in organizing efforts within its jurisdiction  
7 and in the collective bargaining processes authorized in its By-Laws  
8 and may perform such other services and functions as assisting in the  
9 administration of collective bargaining agreements, establishing train-  
10 ing programs, and engaging in legislative activities as so provided in its  
11 By-Laws. The International President and Executive Council shall have  
12 authority to determine what Local Lodges shall be required to affiliate  
13 and/or remain in affiliation with an Industrial Council.

### **19.3.2 – By-Laws**

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

## **ARTICLE 20**

### **CONSTRUCTION SECTOR OPERATIONS DIVISION**

1 There shall be a Construction Sector Operations Division for the pur-  
2 pose of servicing those members who have an employment relation-  
3 ship in the Construction Sector. The Construction Sector shall include  
4 the following: Construction Division; National Transient Division;  
5 Quality Control; and all other construction industries. There shall be an  
6 Executive Director-Construction Sector Operations, appointed by the  
7 International President, to supervise and direct all activities that fall  
8 under this Article.

## **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 em-  
3 ployment relation with the construction industry.

### **20.1.2 – Function**

4       It shall be the function of the Construction Division to assist in col-  
5 lective bargaining in the industry, to negotiate and administer all Inter-  
6 national Brotherhood work jurisdiction agreements with other Interna-  
7 tional unions in the industry, and to engage in research and other re-  
8 lated organizational activities to the end of effectively protecting and  
9 promoting the interests of members employed in the construction in-  
10 dustry.

## **20.2 – Administration and Conferences**

### **20.2.1 – Administration**

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

### **20.2.2 – Conferences**

12       Semi-annual conferences will be held of Construction Lodge Busi-  
13 ness Managers and area Construction Division representatives. A re-  
14 port of these conferences shall be sent to all Construction Lodge Busi-  
15 ness 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 re-  
18 port 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 Divi-

3 sion activities set forth in Article 20.1.2, which shall be administered in  
4 accordance with provisions of this Constitution.

### **20.3.2 – Construction Division Field Dues Assessment**

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

### **20.3.4 – Combined Minimum Field Dues Assessment**

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

### **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 Construction Division Fund, the Construction Division Fund field dues assessment amount required by Article 20.3.2 and shall retain for deposit to the account of the Lodge/District the balance of the field dues collected. Such payments shall be made in accordance with procedures established by the International Secretary-Treasurer.

### **20.3.6 – Minimum Cash Reserve and 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 jurisdiction shall levy field dues in an amount calculated by the Construction Division to be sufficient to provide the Lodge/District with 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 as-  
35 sessment. The field dues assessment shall be calculated based upon  
36 liquid assets and operating expenses for the prior fiscal year plus pro-  
37 jected 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,  
39 and 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 ac-  
41 cordance 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 respec-  
45 tive area International Vice President, be empowered to direct, after  
46 proper notification to the Lodge/District, that the Lodge/District field  
47 dues assessment shall be adjusted effective January 1st the following  
48 year in accordance with the above. The field dues assessment, however,  
49 shall not be less than the minimum field dues set forth in Article 20.3.4.

## **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  
53 the Convention that follows the enactment of the emergency assess-  
54 ment. This emergency assessment shall be in addition to the minimum  
55 field dues set 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  
59 to Article 20.3.7.1. This assessment shall be for a period not to exceed  
60 the duration of the emergency assessment for the Construction Divi-  
61 sion. This emergency assessment shall be in addition to the minimum  
62 field dues set forth in Article 20.3.4.



## **20.4 – National Transient Division**

### **20.4.1 – Establishment and Function**

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  
3 of their employment have no fixed permanent place of employment in  
4 the construction industry. It shall be the function of the National Transient  
5 Division to assist in negotiating the NTD Labor Agreement(s) and  
6 to engage in research and other related organizational activities to the  
7 end of effectively protecting and promoting the interests of the National  
8 Transient membership and the organizational purposes and objectives set forth  
9 in Article 1.2.

### **20.4.2 – Administration and Representatives**

#### **20.4.2.1 – Administration**

10 The National Transient Division will be administered by a Director  
11 who will be appointed by and responsible to the International President.  
12

#### **20.4.2.2 – Representatives**

13 The Director shall recommend and, where justified, the International  
14 President shall appoint as many Division representatives as necessary  
15 to effectively service the National Transient membership in the national  
16 area in which they are employed.

### **20.4.3 – Revenue**

#### **20.4.3.1 – National Transient Division Fund**

17 There shall be established a National Transient Division Fund, as a  
18 special purpose fund of the International Brotherhood, to finance those  
19 Division activities set forth in Articles 20.4.1 and 20.4.3.3, which shall be  
20 administered in accordance with provisions of this Constitution.

#### **20.4.3.2 – Field Dues Assessment**

21 The National Transient Division Fund will be financed from field  
22 dues payable on all work performed under the NTD Labor Agreement(s). Said  
23 dues shall be established in accordance with Articles  
24 20.3.2 and 20.3.3.

#### **20.4.3.3 – Use of Funds**

25 The National Transient Division Fund will be used to pay the salary,  
26 allowances, and expenses approved by the International President incurred  
27 by National Transient Division representatives in the performance of  
28 assigned organizational responsibilities.

## **ARTICLE 21**

### **INDUSTRIAL SECTOR OPERATIONS DIVISION**

#### **21.1 – Establishment and Function**

##### **21.1.1 – Establishment**

1       There shall be an Industrial Sector Operations Division for the pur-  
2       pose of servicing those members who have an employment relation-  
3       ship within the Industrial Sector. The Industrial Sector Operations shall  
4       include the following: Manufacturing; Blacksmiths; Boiler; Iron Ship  
5       Builders; Forgers; Helpers; Cement, Lime, Gypsum and Allied Workers  
6       Division; Railroad Division; Stove, Furnace, Energy, and Allied Appli-  
7       ance Workers Division; and all other Non-Construction Industries.

##### **21.1.2 – Function**

8       It shall be the function of the Industrial Sector Operations Division to  
9       assist in collective bargaining in all non-construction industries, to as-  
10      sist with negotiations, consistent with Article 5.2, and administration of  
11      all Local Lodge Collective Bargaining Agreements within those indus-  
12      tries, and to engage in research and other related organizational activi-  
13      ties to the end of effectively protecting and promoting the interests of  
14      members employed within the Industrial Sector.

#### **21.2 – Administration and Conferences**

##### **21.2.1 – Administration**

1       The International President shall appoint as many Industrial Sector  
2       Operations Division representatives as he deems necessary for effective  
3       administration of the Division. Said representatives shall be members  
4       except for professional and technical personnel. A fully-staffed and  
5       equipped Industrial Sector Operations Division support office shall be  
6       established, as determined by the International President, to further op-  
7       timize effectiveness in dealing with the full range of industry issues and  
8       to advance the service, representation, and protection of Industrial Sec-  
9       tor Operations Lodges and membership.

##### **21.2.2 – Conferences**

10      Annual conferences may be held of Industrial Sector Operations  
11      Lodge Officers/Representatives and area Industrial Sector Operations  
12      International Representatives. When held, such conferences shall be  
13      held at locations to be determined by the International President at  
14      which a report shall be given of Industrial Sector Operations Division  
15      activities.

## **21.3 – Revenue**

### **21.3.1 – Industrial Sector Operations Fund**

1       There shall be established an Industrial Sector Operations Fund, as a  
2 special purpose fund of the International Brotherhood, to finance those  
3 Division activities set forth in Articles 21.2.1 and 21.2.2 which shall be  
4 administered in accordance with the provisions of this Constitution.

### **21.3.2 – Industrial Sector Operations Division Assessment**

5       Effective January 1, 2012, each Local Lodge with members in the In-  
6 dustrial Sector Operations Division, not covered by Articles 21.4 and  
7 21.5, will pay into the Industrial Sector Operations Division Fund One  
8 Dollar (\$1.00) per member per month for each member employed on  
9 non-construction work to finance those Division activities set forth in  
10 Articles 21.2.1 and 21.2.2 which shall be administered in accordance  
11 with the provisions of this Constitution. This amount will be increased  
12 by One Dollar (\$1.00) at the first of each year beginning January 1, 2013,  
13 if in the judgment of the Executive Council, said increase is necessary.  
14 The Industrial Sector Operations Division Assessment will be in addi-  
15 tion to monthly membership dues and any other Divisional Dues re-  
16 quired by this Constitution.

### **21.3.3 – Transmission of Division Dues Assessment**

17       Lodges/Districts with Industrial Sector jurisdiction shall transmit to  
18 the International Secretary-Treasurer for deposit to the account of the  
19 Industrial Sector Operations Fund, the Division Assessment amount re-  
20 quired by Article 21.3.2. Such payments shall be made in accordance  
21 with procedures established by the International Secretary-Treasurer.

## **21.4 – Railroad Division**

### **21.4.1 – Establishment**

1       Within the Industrial Sector Operations there shall be a Railroad Di-  
2 vision comprised solely of those members who have employment rela-  
3 tionship with the railroad industry in the United States.

### **21.4.2 – Revenue/Industrial Sector Operations Division Dues**

4       There shall be established a Railroad Division Fund, as a special pur-  
5 pose fund of the International Brotherhood, to finance activities on be-  
6 half of the Division. All members gainfully employed in the railroad in-  
7 dustry in the United States shall pay Railroad Division dues in the  
8 amount of Twenty-Eight Dollars (\$28.00) per month.

## **21.5 – Cement, Lime, Gypsum, and Allied Workers Division**

### **21.5.1 – Establishment**

1 Within the Industrial Sector Operations, there shall be a Cement,  
2 Lime, Gypsum, and Allied Workers Division for the purpose of giving  
3 status to and servicing those members who have an employment rela-  
4 tionship with those industries. New members organized within the ju-  
5 risdiction of the Division, whether placed in an existing Local Lodge of  
6 the Brotherhood or chartered as a new Local Lodge, will be affiliated  
7 with the Division.

### **21.5.2 – Revenue**

8 There shall be established a Cement, Lime, Gypsum, and Allied  
9 Workers Division Fund, as a special purpose fund of the International  
10 Brotherhood, to finance activities on behalf of the Division.

#### **21.5.2.1 – Dues and Per Capita Tax**

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

#### **21.5.2.2 – Industrial Sector Operations Division Dues and Per Capita Tax**

14 All members employed in the Cement, Lime, Gypsum, and Allied  
15 Workers industry shall pay to the Lodge in which they hold member-  
16 ship Cement, Lime, Gypsum, and Allied Workers Division dues at the  
17 rate of 0.55 percent of their gross pay, excluding bonuses, effective Janu-  
18 ary 1, 2012. The Lodge shall transmit to the International Secretary-Tre-  
19 asurer a monthly Per Capita Tax plus the Division dues set forth above.

#### **21.5.2.3 – District 11 Dues and Per Capita Tax**

20 In the case of Lodges in District 11, the base rate set forth herein shall  
21 be the negotiated base rate, excluding probationary or hiring-in rates;  
22 provided, however, the negotiated base rates shall not be less than the  
23 base rates in effect on July 1, 2001. Lodges in District 11 shall transmit to  
24 the International Secretary-Treasurer a monthly Per Capita Tax pay-  
25 ment in the amount of 1.65 times the base rate. The Per Capita Tax pay-  
26 ment submitted by District 11 Lodges shall be distributed as follows: 1.  
27 International Per Capita Tax as provided in Article 12.2 shall be de-  
28 ducted; 2. a maximum of 0.65 times the base rate shall be remitted to  
29 District 11; and 3. any remaining balance shall be deposited in the Ce-  
30 ment, Lime, Gypsum, and Allied Workers Division Fund.

### **21.6 – Annual Report**

1 The International Secretary-Treasurer shall make an annual report of  
2 the Industrial Sector Operations Division Fund, including the Railroad

3 Division Fund and the Cement, Lime, Gypsum, and Allied Workers Di-  
4 vision Fund, to the Local Lodges.

## **21.7 – Temporary Severance Status**

### **21.7.1 – Special Situations**

1 In special situations where warranted, the International President  
2 shall be empowered to authorize Local Lodges with Industrial Sector  
3 jurisdiction to place a member on Temporary Severance Status pro-  
4 vided the member becomes involuntarily unemployed under such con-  
5 ditions as the International President may prescribe.

### **21.7.2 – Rights of Members on a Temporary Severance Status**

6 Any member on Temporary Severance Status shall not be entitled to  
7 exercise any right accruing from membership in the International  
8 Brotherhood during the period that such Temporary Severance Status is  
9 in force and effect.

### **21.7.3 – Deposit of Temporary Severance Status**

10 A member on Temporary Severance Status, upon returning to work  
11 at the trade, shall immediately be placed on active status and the mem-  
12 ber’s ability to exercise the rights of membership otherwise suspended  
13 will be restored.

### **21.7.4 – Duration of Temporary Severance Status**

14 Temporary Severance Status shall expire twenty-four (24) calendar  
15 months after commencement.

## **ARTICLE 22**

### **DISTRICT LODGES**

#### **22.1 – Formation**

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

#### **22.2 – Charter and Jurisdiction**

1 When it is determined that a District Lodge shall be formed, such  
2 Lodge shall be regularly chartered as a subordinate body of the Interna-

3 tional Brotherhood. Each charter shall set forth the allocated geographical  
4 cal and/or trade jurisdiction of such District Lodge, and the International  
5 President and Executive Council shall have full authority thereafter to  
6 after to change, alter, enlarge, reduce, or cancel such jurisdiction.

### **22.3 – Purposes**

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

### **22.4 – Government and Meetings**

#### **22.4.1 – 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 District  
4 Lodge shall be governed by a District Council consisting of three (3) or  
5 more of its officers as determined by the By-Laws of the District Lodge,  
6 such Council members to be elected at the convention by a majority vote  
7 of the delegates there assembled. Such Council shall meet at least semi-  
8 annually or as otherwise specified in the District Lodge By-Laws.

#### **22.4.2 – 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)  
11 years.

#### **22.4.3 – Term of Office – Canada**

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

### **22.5 – Representation and Establishment of By-Laws**

1 Representation of affiliated Local Lodges in the District Lodge  
2 convention shall be obtained by the election by secret ballot of a delegate  
3 or delegates to such District Lodge convention by each of the affiliated

4 Local Lodges, the number of such delegates to be determined by the By-  
5 Laws of the District Lodge; provided, however, that each affiliated Local  
6 Lodge shall have the right to elect the same number of delegates to the  
7 District convention, each delegate to have equal vote and equal repre-  
8 sentation in the District convention unless otherwise provided for in the  
9 approved District Lodge By-Laws. Eligibility to serve and procedure for  
10 nomination and election of delegates to District Lodge conventions shall  
11 be the same as provided for delegates to International Brotherhood Con-  
12 ventions under Articles 2.3 and 2.4, other than time of nomination and  
13 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  
19 of the delegates at a District Lodge convention subject to approval by the  
20 International President. By-Laws, or any amendment thereto, shall not  
21 be in conflict with any provision of this Constitution. Following the  
22 adoption of this Constitution, all provisions of District Lodge By-Laws  
23 which are in conflict with the provisions of this Constitution shall be  
24 deemed null and void and each District Lodge Council shall promptly  
25 make such amendments to the District Lodge By-Laws as are necessary  
26 to conform with this Constitution and submit such amendments to the  
27 International President for approval.

## **22.6 – Officers**

### **22.6.1 – Mandatory Officers**

1 The officers of a District Lodge shall be as provided in its approved  
2 By-Laws; provided, however, that there shall be a President, Vice Presi-  
3 dent, Secretary-Treasurer, Recording Secretary, Inspector, and a Board  
4 of Trustees comprised of three (3) members (one of whom shall be des-  
5 ignated Chairman as provided in the By-Laws), and a Business Man-  
6 ager (or the equivalent where a different title is used) where one is re-  
7 quired and can be supported on a full- or part-time basis as a salaried  
8 officer of the District Lodge. A Lodge may combine offices where a  
9 combination of duties and responsibilities is compatible, if prior ap-  
10 proval to do so is granted in writing by the International President. The  
11 officers shall be selected by majority vote of the delegates to such Dis-  
12 trict Lodge in convention assembled unless otherwise provided for in  
13 the approved District Lodge By-Laws and their duties shall be as pre-  
14 scribed in such District Lodge By-Laws provided that such duties shall  
15 not be inconsistent with the duties of comparable Local Lodge officers.  
16 Other positions in the District Lodge may be filled by election or ap-  
17 pointment as determined by this Constitution or District Lodge By-

18 Laws, except that Assistant Business Managers, Dispatchers, Stewards,  
19 or other full- or part-time salaried representatives and office help shall  
20 be appointed or dismissed by the elected officer under whom they are  
21 to work and who is primarily held responsible under this Constitution  
22 for the performance of the appointee’s official duties; however, such po-  
23 sitions are not to be designated or considered offices as outlined above.

**22.6.2 – Designated Title**

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

**22.7 – Revenue**

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

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

**22.8 – 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  
3 the International Secretary-Treasurer.

**ARTICLE 23**

**LOCAL LODGES**

**23.1 – Formation**

1 Consistent with the provisions of Article 5.5 anyone residing in the  
2 United States or Canada, or in territories or possessions thereof, pos-  
3 sessed qualifications required by the International Brotherhood Con-  
4 stitution may apply for and be granted a charter for the establishment  
5 of a Local Lodge. Each such charter if granted shall state the work, loca-  
6 tion, and geographical jurisdiction of such Local Lodge.

**23.2 – 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 23.3.

### **23.3 – Procedure for Adoption or Amendment of Local Lodge By-Laws**

#### **23.3.1 – Opening for Amendment**

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

#### **23.3.2 – Monetary Amendments**

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

12    Reasonable notice shall be given to the membership at least fifteen  
13    (15) days prior to the meeting at which the membership will consider  
14    the question of whether or not such dues, initiation or reinstatement  
15    fees, salary adjustments (including fringe benefits; i.e., pension, annu-  
16    ity, health & welfare, etc.), expenses or allowances, or assessments shall  
17    be changed or levied. The notice shall indicate that an adjustment or as-  
18    sessment is to be voted on, and shall be given in such a way as to be rea-  
19    sonably calculated to reach the entire membership of the Local Lodge.  
20    A majority vote by secret ballot shall be necessary for adoption. Such  
21    meeting may be regular or special.

#### **23.3.3 – All Other Amendments**

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

##### **23.3.3.1 – Appointment of Committees**

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

##### **23.3.3.2 – Notice of Amendment or Adoption**

29    The membership shall be notified that the By-Laws will be amended  
30    or adopted at the next three (3) regular meetings. The By-Laws Com-

31 mittee at the first regular meeting shall request the membership for  
32 suggested amendments, and such amendments as are suggested will be  
33 considered by the By-Laws Committee, such amendments to be pre-  
34 sented to the Secretary-Treasurer who will turn them over to the By-  
35 Laws Committee. At the second regular meeting, the By-Laws Commit-  
36 tee shall report proposed amendments for discussion, adoption, rejec-  
37 tion, or amendment. The Committee on By-Laws shall then perfect the  
38 language of the amendments or By-Laws adopted at the second regular  
39 meeting and report same back in their entirety to the third regular  
40 meeting for final action without further amendment, or, upon the direc-  
41 tion of the International President, submit the amendments or By-Laws  
42 in written form to the membership for an all-mail ballot under proce-  
43 dures outlined by the International President.

#### **23.3.3.3 – Secret Ballot**

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

#### **23.3.4 – Approval by International President**

46 Adopted By-Laws or amendments shall be submitted to the Interna-  
47 tional President for approval or modification; if said By-Laws are not in  
48 violation of this Constitution, International policy or applicable law  
49 they shall become effective after approval is given by the International  
50 President.

#### **23.3.5 – Availability to Membership**

51 Copies of the approved By-Laws or amendments will be made avail-  
52 able to the membership.

#### **23.4 – 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 Chair-  
4 man by virtue of receiving the highest vote cast), and Business Manager  
5 (or the equivalent) where one is required and can be supported on a  
6 part- or full-time basis as a salaried officer of the Local Lodge. A Lodge  
7 may combine offices where a combination of duties and responsibilities  
8 are compatible, if prior approval to do so is granted by the International  
9 President. Other positions in the Lodge may be filled by election or ap-  
10 pointment as determined by this Constitution or Local Lodge By-Laws,  
11 except that Assistant Business Managers, Dispatchers, Stewards, or  
12 other full- or part-time salaried representatives and office help shall be  
13 appointed or dismissed by the elected officer under whom they are to  
14 work and who is primarily held responsible under this Constitution for  
15 the performance of the appointee's official duties; however, such posi-

16 tions are not to be designated or considered offices as outlined above.  
17 Approval by the International President shall be necessary to appoint  
18 Assistant Business Managers. When approval is granted, the Business  
19 Manager shall furnish the International President with the name and  
20 register number of the member appointed.

### **23.5 – Duties of the President**

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

### **23.6 – 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.

### **23.7 – Duties of the Secretary-Treasurer**

#### **23.7.1 – General Duties**

1 The Secretary-Treasurer shall receive all dues, field dues, District  
2 dues, fines, assessments, and all monies received from any source for the  
3 benefit of the Lodge (except such revenues as are payable to District  
4 Lodges directly under District Lodge By-Laws with which the Local  
5 Lodge may be affiliated), and deposit same in a bank of sound financial  
6 standing in the full and complete name of the Lodge. The Secretary-  
7 Treasurer shall keep a true account of all financial transactions of the  
8 Lodge in accordance with instructions from the International Secretary-  
9 Treasurer and make a report of such transactions under the proper order  
10 of business at each regular meeting. The Secretary-Treasurer shall, in  
11 conjunction with the Board of Trustees, submit on or before the 30th of  
12 each month following the close of each quarter, a financial report cover-

13 ing such quarter, on official forms (or a report by a Certified Public Ac-  
14 countant or a competent auditor approved by the International Presi-  
15 dent, for that quarter if one has been made), to the International Secre-  
16 tary-Treasurer. The Secretary-Treasurer shall maintain in the form re-  
17 quired by the International Secretary-Treasurer a record showing the  
18 name, last-known home address, membership standing, and other re-  
19 quired information of each member in the Lodge. The Secretary-Trea-  
20 surer shall submit on official forms a monthly membership report not  
21 later than the 15th of the following month to the International Secretary-  
22 Treasurer. The Secretary-Treasurer shall promptly inform the Business  
23 Manager (or the equivalent) of all delinquencies in all dues. The Secre-  
24 tary-Treasurer shall issue receipts for all monies collected from the mem-  
25 bership in accordance with instructions from the International Secretary-  
26 Treasurer. The Secretary-Treasurer shall transmit all District dues col-  
27 lected to the Secretary-Treasurer of the District Lodge with which the  
28 Local Lodge is affiliated. The Secretary-Treasurer shall pay all author-  
29 ized operating expenses and bills and shall sign all checks issued on the  
30 funds of the Local Lodge, but no authorization shall be required for cur-  
31 rent, fixed, or recurring expenses (such as salaries, rent, office employ-  
32 ees' salaries, taxes, telephone, janitorial services, purchase of necessary  
33 supplies, or other legitimate expenses when properly incurred). The Sec-  
34 retary-Treasurer shall see that copies of this Constitution and Local  
35 Lodge By-Laws are available to the membership of the Lodge. The Busi-  
36 ness Manager and/or Secretary-Treasurer shall send to the International  
37 President at least one (1) copy of all Lodge collective bargaining agree-  
38 ments and wage scales immediately upon adoption (see Article 34.3).

### **23.7.2 – Availability of Records**

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

### **23.7.3 – Maintenance of Records**

51 The Secretary-Treasurer shall maintain records of the minutes of all  
52 meetings of the Lodge and the Executive Board, as prepared by the  
53 Recording Secretary or such person as is authorized to prepare the min-

54 utes, and shall keep important documents, papers, correspondence, as  
55 well as files on contracts and agreements with employers, except where  
56 this Constitution or the Lodge By-Laws impose this responsibility on  
57 some other officer. The Secretary-Treasurer shall, if a person directly af-  
58 fected by a collective bargaining agreement entered into by the Local  
59 Lodge with an employer requests a copy of such agreement during reg-  
60 ular business hours at the principal office of the Lodge, provide the re-  
61 quested copy and may require a receipt therefor.

#### **23.7.4 – Retention of Records**

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

#### **23.7.5 – Distribution of Campaign Literature**

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

#### **23.7.6 – Retention of Requests for Distribution of Campaign Literature**

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

#### **23.8 – 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  
3 roster indicating attendance at regular monthly meetings.

### **23.9 – 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  
3 savings institution, and for such security as the Lodge may direct, all  
4 monies of the Lodge which come into the Secretary-Treasurer's posses-  
5 sion. No money shall be drawn out of such depository unless the draft  
6 is countersigned by the President and the Secretary-Treasurer except as  
7 provided in Article 23.5. The Trustees shall audit the accounts of the  
8 Lodge quarterly, or as often as may be necessary. When any Lodge has  
9 liquid assets in its treasury in excess of the sum of One Hundred Thou-  
10 sand Dollars (\$100,000.00), the Secretary-Treasurer shall so advise the  
11 Trustees, who shall engage to perform, or see that a Certified Public Ac-  
12 countant or competent auditor approved by the International President  
13 performs, any one of the following types of audits as directed by the In-  
14 ternational President: e.g., a Complete Audit, a Compilation Audit, or a  
15 Review Audit. In any Lodge where a Certified Public Accountant or  
16 competent auditor approved by the International President is utilized,  
17 the Trustees shall function as a Financial Committee to review Lodge  
18 expenditures. A copy of each audit shall be promptly forwarded to the  
19 office of the International Secretary-Treasurer and the International Vice  
20 President of the section; such audit will be in lieu of any quarterly fi-  
21 nancial report required by any other section of this Constitution.

### **23.10 – Duties of the Business Manager**

1 The Business Manager (or the equivalent) shall be responsible for or-  
2 ganizing, 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 Man-  
7 ager and/or Secretary-Treasurer shall send to the International Presi-  
8 dent at least one (1) copy of all Lodge collective bargaining agreements  
9 and wage scales immediately upon adoption (see Article 34.3). The Busi-  
10 ness Manager (or the equivalent) shall in addition be empowered to  
11 transact all business and to manage and direct the affairs of the Lodge  
12 between membership meetings, except as otherwise may be provided in  
13 this Constitution. Business Managers (or the equivalent) shall, by virtue  
14 of their office, be delegates to International Brotherhood Conventions.

### **23.11 – Duties of the Inspector**

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

### **23.12 – 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 ac-  
5 tions 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 devia-  
9 tion from the provisions of this section must have the approval of the  
10 International President.

### **23.13 – 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 24**

### **MEMBERSHIP**

#### **24.1 – Qualifications**

1 An applicant for membership in this Brotherhood shall be one who  
2 has reached the minimum working age prescribed by statutory laws re-  
3 gardless of race, creed, color, sex, or national origin and who is working  
4 at some branch of the trade or employed in a shop, plant, or industrial  
5 facility where the International Brotherhood has jurisdiction at the time  
6 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 applica-  
13 tion for membership.

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

## **24.2 – 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 applica-  
5 tions shall be for Mechanic, Helper, Apprentice, Trainee (where such  
6 classification is in the applicable labor agreement), Production Worker,  
7 or Office-Professional-Technical Worker, as shall be determined by the  
8 Local Lodge.

## **24.3 – 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.

## **24.4 – Apprenticeship**

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

## **24.5 – 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 **24.5.1.** Expulsion or suspension;

4 **24.5.2.** Obtaining and holding a Withdrawal Card as provided in  
5 this Constitution.

## **24.6 – Modification of Membership Rights**

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

## **ARTICLE 25**

### **NOMINATION AND ELECTION OF LOCAL LODGE OFFICERS**

#### **25.1 – 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 ap-  
3 proved by the International President. Members nominated must be  
4 present to accept the nomination, unless prevented by official union  
5 duties, sickness, or some other unavoidable circumstances; provided,  
6 however, that in the case of any such absence, the member desiring to



7 be nominated shall notify the Lodge in writing that the member is fam-  
8 miliar with and in compliance with all eligibility requirements and will  
9 accept if nominated.

10 **25.1.1.** Quorum requirements shall not be enforced at any nomina-  
11 tion meeting.

## **25.2 – Time of Election**

1 The election of officers shall be held at the June meeting, unless oth-  
2 erwise approved by the International President; provided, however,  
3 that in cases of a special election date the election shall be held during  
4 the month of June in such election years.

5 **25.2.1.** Quorum requirements shall not be enforced at any election  
6 meeting.

## **25.3 – 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 25.6 and 27.2.1. Fif-  
3 teen (15) days written notice of nomination, and thirty (30) days written  
4 notice of election for other than filling of vacancies, shall be given stating  
5 time, date, and place. Notice of nomination and election may be given in  
6 a 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.

## **25.4 – Eligibility for Local Lodge Officers**

### **25.4.1 – Requirements**

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

3 **25.4.1.1.** 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  
8 body thereof, or of the AFL-CIO, CLC, or any department thereof, or is  
9 on authorized leave of absence from any such position;

10 **25.4.1.2.** Free from delinquency of every nature to the International  
11 Brotherhood;

12 **25.4.1.3.** In continuous good standing in the International Brother-  
13 hood and the member’s Local Lodge for a period of at least two (2)  
14 years immediately prior to the time of nomination, excepting at date of

15 nominations in Lodges chartered less than two (2) years there shall be  
16 no length of membership eligibility requirements;

17 **25.4.1.4.** Shall have attended regular meetings of the Lodge as re-  
18 quired by Local Lodge By-Laws to establish eligibility.

19 There shall be no deviation from the foregoing eligibility require-  
20 ments for Local Lodge office without prior approval of the Interna-  
21 tional President.

### **25.4.2 – Apprentices and Trainees**

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

### **25.4.3 – Transferred Members**

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

### **25.4.4 – Acceptance of Nomination**

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

### **25.4.5 – Eligibility**

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

42 **25.4.5.1.** Not working or actively seeking to work within the juris-  
43 diction of the International Brotherhood; or

44 **25.4.5.2.** Retired; or

45 **25.4.5.3.** Holding regularly or on a probationary basis a supervisory  
46 position with authority to hire, promote, discharge, discipline, or other-  
47 wise effect changes in the status of employees, or effectively recom-  
48 mend such action; however, Article 25.4.5.3 shall not be interpreted to  
49 include members who intermittently or at irregular intervals are em-  
50 ployed as general foremen, foremen, or assistant foremen covered by a  
51 collective bargaining agreement; or

52       **25.4.5.4.** Maintaining membership in another labor organization  
53 where there is a possible conflict in interest; or

54       **25.4.5.5.** Employed at an occupation not represented by or under the  
55 jurisdiction of the International Brotherhood.

56       There shall be no deviation from the foregoing without prior ap-  
57 proval of the International President.

## **25.5 – Objections**

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

6       Any member who is ruled ineligible for nomination, or a member  
7 who challenges the eligibility of a nominee, may appeal the ruling of  
8 the Local Lodge President or presiding officer to the International Pres-  
9 ident or the International President’s designee. Appeals to the Interna-  
10 tional President or the International President’s designee shall be by  
11 registered mail, certified mail, courier service, facsimile transmission or  
12 email to be mailed or transmitted within two (2) days following the  
13 date of the nominating meeting excluding Saturdays, Sundays, or holi-  
14 days. The International President or the International President’s de-  
15 signee shall decide the appeal within seven (7) days after receipt  
16 thereof, which decision shall be final and binding.

## **25.6 – 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 two (2) months immediately prior to such date of  
4 nominations and/or elections as recorded in the office of the Interna-  
5 tional Secretary-Treasurer. Each Local Lodge Secretary-Treasurer shall  
6 prepare, on the basis of the records available, a list of eligible voters for  
7 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.

## **25.7 – Conduct of Election**

### **25.7.1 – 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  
4 may include nicknames shown in parentheses) and the office for which  
5 they are candidates shall be listed thereon. Incumbents may be indi-  
6 cated by asterisks. Regardless of the number of nominees aspiring to

7 the same office, the nominee receiving the highest number of votes  
8 shall be declared elected. It will not be required that unopposed candi-  
9 dates be elected by secret ballot, but may be declared elected by accla-  
10 mation.

11 In cases where a Local Lodge has territorial jurisdiction outside the  
12 immediate area of the city or town in which it holds its regular meet-  
13 ings, election of Local Lodge officers specified in this Constitution and  
14 Delegates to the International Brotherhood Convention may be by mail  
15 ballot in accordance with the procedures prescribed by the Interna-  
16 tional President. In all other cases where the election is to be held at a  
17 regular or special meeting, absentee ballots for members unable to at-  
18 tend the meeting may be used upon request in writing to the Secretary-  
19 Treasurer of the Local Lodge, received twenty (20) days in advance of  
20 the election. The International President may, upon request of any Local  
21 Lodge or where conditions warrant, authorize or direct a mail ballot,  
22 which shall be conducted in accordance with instructions issued by the  
23 International President.

### **25.7.2 – Observers**

24 Each candidate shall have the right to have an observer, who must be  
25 a member of the Local Lodge, at the polls and at the counting of the bal-  
26 lots.

### **25.7.3 – Election Committee**

27 The President shall appoint an Election Committee not to exceed  
28 seven (7) impartial members, unless otherwise approved by the Inter-  
29 national President. The members of the Election Committee shall select  
30 a Chairman. The Election Committee shall make all arrangements for  
31 and conduct the election. The members of the Election Committee shall  
32 act as tellers and shall conduct the election in a just and impartial man-  
33 ner.

### **25.7.4 – Certification of Results**

34 After the counting of the ballots, the Election Committee shall certify  
35 the results and conduct of the election on a form furnished by the Inter-  
36 national Secretary-Treasurer.

## **25.8 – Challenges and Objections**

### **25.8.1 – 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  
3 be permitted to vote and that person's ballot shall be retained by the  
4 Election Committee pending determination as to its validity.

5 The Election Committee shall investigate all challenges of eligibility

6 of 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  
9 voters shall be filed with the International President by the appealing  
10 party in writing with copy to the Election Committee, by registered  
11 mail, certified mail, courier service, facsimile transmission or email to  
12 be mailed or transmitted within five (5) days of the date of the ruling  
13 excluding Saturdays, Sundays, and holidays. The Election committee,  
14 within two (2) days of receipt of copy of the appeal, shall furnish all  
15 available information to the International President. Based on the infor-  
16 mation received, the International President shall make a decision  
17 within seven (7) days of receipt of the information, which decision shall  
18 be final and binding.

### **25.8.2 – Objections**

19 Any objections to the conduct and/or validity of the election shall be  
20 filed with the Election Committee by the candidate or the candidate's  
21 observer in writing within two (2) days of the close of the election, ex-  
22 cluding Saturdays, Sundays, and holidays, setting forth in detail rea-  
23 sons for such objections.

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

29 Appeals from the ruling of the Election Committee on objections to  
30 the conduct and/or validity of the election shall be filed with the Inter-  
31 national President by the appealing party in writing with copy to the  
32 Election Committee, by registered mail, certified mail, courier service,  
33 facsimile transmission or email, to be mailed or transmitted within five  
34 (5) days of the date of the ruling excluding Saturdays, Sundays, and hol-  
35 idays. The Election Committee, within two (2) days of receipt of copy of  
36 the appeal, shall forward their ruling with all available information to  
37 the International President. Based on the information received, the Inter-  
38 national President shall make a decision within seven (7) days of receipt  
39 of the information, which decision shall be final and binding.

### **25.9 – Term of Office**

#### **25.9.1 – 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 ap-  
4 proved by the International President, but in no event shall the term of  
5 office be for less than two (2) years.

## **25.9.2 – Canada**

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

### **25.10 – 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.

### **25.11 – Distribution of Campaign Literature**

1 The Local Lodge shall, up until five (5) business days prior to the  
2 election, comply with reasonable requests of bona fide candidates to  
3 distribute campaign literature, by mail or otherwise, at the candidates'  
4 expense with equal treatment as to expense and administration of such  
5 distribution. No such request need be complied with unless the candi-  
6 date making same shall pay all costs involved in advance. Every bona  
7 fide candidate shall have the right, once within thirty (30) calendar  
8 days prior to the election, to inspect, but not copy, a list containing the  
9 names and last-known addresses of all members of the Lodge who are  
10 covered by an agreement requiring membership in the Lodge as a con-  
11 dition of employment. Such list shall be maintained and kept for in-  
12 spection at the principal office of the Lodge by the Secretary-Treasurer  
13 of the Lodge.

### **25.12 – Preservation of Election Records**

1 The Chairman of the Election Committee shall turn over ballots and  
2 all 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.

### **25.13 – Installation of Officers**

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

### **25.14 – Absence from Meetings**

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

### **25.15 – 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 Arti-  
3 cles 25.6 and 27.2.1.

### **25.16 – 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 meet-  
3 ing, or nominations may be held at one meeting and election the fol-  
4 lowing meeting (except as otherwise provided in approved Lodge By-  
5 Laws), except that until such vacancy is filled, the President (or if there  
6 is a vacancy in the office of President, the Vice President) shall make an  
7 interim appointment to fill such vacancy.

## **ARTICLE 26**

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

#### **26.1 – Appointment**

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

#### **26.2 – Function and Responsibility**

##### **26.2.1 – Function**

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

##### **26.2.2 – 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

11 work actively to build the union and shall do all in their power to en-  
12 courage membership participation in union affairs, including atten-  
13 dance at union meetings and functions and membership participation  
14 in Legislative Education Fund (LEF) and Campaign Assistance Fund  
15 (CAF).

**ARTICLE 27**

**MEETINGS OF LOCAL LODGES**

**27.1 – 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  
4 meetings may be called by the President on written request of not less  
5 than five (5) members in good standing of which due notice shall be  
6 given. Announcement of any special meeting shall briefly outline the  
7 purpose for which it is called and every effort shall be made to inform  
8 all the members that the same is to be held.

**27.2 – Membership Rights**

**27.2.1 – Members in Good Standing and Exceptions**

1 All members in good standing of the Local Lodge shall be entitled to  
2 be seated and to participate in the Local Lodge meetings, vote in elec-  
3 tions, have the right to express their views, arguments, or opinions  
4 upon any business properly before the meeting subject to this Constitu-  
5 tion and the Local Lodge By-Laws with the following exceptions:

**27.2.1.1 – Supervisors**

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

**27.2.1.2 – Employed Outside the Trade**

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

**27.2.1.3 – 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.



### **27.2.1.4 – Visiting Members**

17 Visiting members in good standing shall be permitted to attend reg-  
18 ular 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  
21 or advocate any conduct that would interfere in the organization’s per-  
22 formance of its legal or contractual obligations or functions.

### **27.2.2 – International Officers and Representatives**

23 Notwithstanding the provisions of Article 27.2.1, International Offi-  
24 cers or Representatives shall have the right to participate in any subor-  
25 dinate body meetings to the extent necessary to carry out their duties or  
26 any assignment by the International President.

### **27.3 – 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 quo-  
3 rum in Lodges of fifty (50) members or less.

### **27.4 – Visiting Members Identification**

1 Visiting members shall present a Local Lodge monthly dues receipt,  
2 initiation receipt, or combination monthly dues and reinstatement re-  
3 ceipt showing such members to be in good standing in their respective  
4 Local Lodge.

### **27.5 – 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  
3 of the Local Lodge and such member shall stop speaking and sit down  
4 upon being called to order by the presiding officer.

## **ARTICLE 28**

### **INITIATION FEES AND DUES**

#### **28.1 – Initiation Fees**

##### **28.1.1 – Limitations**

1 The initiation fee shall be determined by the Local Lodge, but shall  
2 be not less than Twenty-Five Dollars (\$25.00) and in no event shall be  
3 more than One Thousand Dollars (\$1,000.00). Arrangements for pay-  
4 ment of initiation fees by installments may be made in accordance with  
5 approved Local Lodge By-Laws or an applicable collective bargaining  
6 agreement. When a Local Lodge collects the initiation or reinstatement  
7 fees in installments, the first installment shall be equal to the amount  
8 due the International, and remitted to the office of the International Sec-

9 retary-Treasurer. Any monies paid toward an incomplete initiation shall  
10 be forfeited by the applicant.

### **28.1.2 – 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.

### **28.1.3 – 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 ex-  
20 ecuting an official application for membership.

### **28.1.4 – 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  
25 the 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. This Article shall not apply to  
28 subordinate Lodge consolidations.

### **28.1.5 – Deviations**

29 Any deviations from Article 28.1.1 must have prior approval of the  
30 Executive Council.

## **28.2 – Dues**

### **28.2.1 – 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-Eight Dollars and Fifty-Five Cents (\$38.55) and this amount shall  
4 be increased in the same amount and as of the same date as any in-  
5 crease in the Lodge monthly dues provided for in Article 28.2.2.

### **28.2.2 – Annual Increases**

6 Local Lodge monthly dues shall be increased every January 1 by an  
7 amount equal to two (2) times the amount of any increase in the  
8 monthly Per Capita Tax as determined in accordance with Article 12.2.2  
9 of this Constitution with the Local Lodge and the International Brother-

10 hood to share equally this increase in Lodge monthly dues. The Interna-  
11 tional President, upon receipt of a Local Lodge request to waive the in-  
12 crease in monthly dues to be retained by the Local Lodge, may grant  
13 such request if so warranted by the Lodge's financial condition.

### **28.2.3 – Eligibility for Financial Assistance**

14 In accordance with Article 7.8 of this Constitution, for a Local Lodge  
15 to be eligible for financial assistance, members of that Local Lodge must  
16 be paying the minimum dues as provided for in Article 28.2, plus One  
17 Dollar (\$1.00) per month.

### **28.2.4 – Deviations**

18 Any deviations from Article 28.2.1 must have the prior approval of  
19 the Executive Council after receipt of a recommendation from the Inter-  
20 national President.

## **28.3 – Service Charges**

### **28.3.1 – 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  
3 this Brotherhood or other organizations and the payment of appropri-  
4 ate working dues required of members.

### **28.3.2 – 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 re-  
7 ceives payments pursuant to Article 28.3.1, the International Brother-  
8 hood shall receive an amount equal to a member's monthly Per Capita  
9 Tax from all non-member employees.

## **ARTICLE 29**

## **SUSPENSION AND REINSTATEMENTS**

### **29.1 – Suspension for Non-Payments**

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

## **29.2 – 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.

## **29.3 – Reinstatement of Expelled or Other Suspended Members**

1 Any member who is expelled or suspended from any Local Lodge  
2 for any reason other than the nonpayment of dues, and recorded as  
3 such in the International Secretary-Treasurer's office, shall not be ac-  
4 cepted as a member of any Local Lodge unless such Local Lodge shall:  
5 **29.3.1.** First secure the consent of the Local Lodge so suspending or  
6 expelling the member;  
7 **29.3.2.** Collect such fines, assessments and dues as may be outstand-  
8 ing against the member plus the prescribed reinstatement fee;  
9 **29.3.3.** Promptly forward such sum to the Local Lodge from which  
10 the member came; and  
11 **29.3.4.** 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 ob-  
14 tained. The requirements of this section shall be complied with fully be-  
15 fore such a reinstatement into membership shall become effective.

## **ARTICLE 30**

### **TRAVELING CARDS**

#### **30.1 – Issuance of Traveling Cards**

1 Any member leaving the jurisdiction of that member's Local Lodge  
2 for employment elsewhere shall apply for a Traveling Card to the Secre-

3 tary-Treasurer of the Local Lodge who shall issue such Traveling Card  
4 to such member only after clearing through the Business Manager's of-  
5 fice where one is maintained. Such Traveling Card shall serve as an  
6 identification card for the member and shall entitle the member to  
7 recognition as a member in good standing when accompanied by an of-  
8 ficial paid-up dues receipt signed by the Secretary-Treasurer of the  
9 Local Lodge issuing such card.

10 A member on a Traveling Card shall maintain membership in the  
11 Local Lodge from which such card was obtained and shall retain all  
12 rights of membership in that Lodge, including the right to run for and  
13 hold office, vote, and participate in the meetings of said Lodge subject  
14 to the provisions of Articles 25.4 and 25.6. Such members may attend  
15 other Local Lodge meetings in the area where they are traveling or  
16 working, but without right to voice or vote.

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

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

### **30.2 – 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 Busi-  
3 ness Manager where such office exists or in the absence of such office with  
4 the Secretary-Treasurer of the Lodge. Such officer shall accept the Travel-  
5 ing Card and it shall be held for the period of the member's employment  
6 in the jurisdiction of the Lodge subject to the provisions of Article 30.3.

### **30.3 – 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  
4 shall return the Traveling Card to such member if the Secretary-Trea-  
5 surer has determined that all financial obligations to the Brotherhood  
6 have been paid. If any such obligations have not been paid, the Secre-  
7 tary-Treasurer shall return such card to the Secretary-Treasurer of the  
8 Local Lodge from which such card was obtained, who shall collect the  
9 indebtedness from said member and forward the monies to the Local  
10 Lodge where the financial obligations occurred.

### **30.4 – 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 ap-

4 proved By-Laws of the Local and/or District Lodge under whose juris-  
5 diction said member is working.

### **30.5 – Reciprocal Agreements**

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

## **ARTICLE 31**

### **TRANSFER OF MEMBERSHIP**

#### **31.1 – Requirements**

##### **31.1.1 – Application for Transfer of Membership**

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

##### **31.1.2 – Automatic Acceptance of Application**

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

8 **31.1.2.1.** The member has worked under the jurisdiction of the  
9 Lodge for a period of 8,000 hours; and

10 **31.1.2.2.** The member can demonstrate permanent residence in a  
11 place located within the Lodge's geographical jurisdiction.

##### **31.1.3 – Required Transfer**

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

##### **31.1.4 – Eligibility for Transfer Card**

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

#### **31.2 – Notification of International Secretary-Treasurer**

1 When a transfer of membership is made from one Local Lodge to an-

2 other, the Secretary-Treasurer of the Local Lodge receiving such transfer  
3 shall immediately notify the International Secretary-Treasurer of such  
4 transfer. The International Secretary-Treasurer shall furnish Local  
5 Lodges Transfer Cards in such form as may be required to obtain the  
6 necessary information concerning the member.

## **ARTICLE 32**

### **WITHDRAWAL, SERVICE, AND RETIREMENT CARDS**

#### **32.1 – Issuance of Withdrawal Cards**

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

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

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

#### **32.2 – Deposit of Withdrawal Cards**

##### **32.2.1 – Deposit/Revocation of Withdrawal Card**

1 A former member holding a Withdrawal Card who returns to em-  
2 ployment 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  
6 over the facility. Failure on the part of a former member to deposit the

7 Withdrawal Card shall cause it to be automatically cancelled or re-  
8 voked.

### **32.2.2 – Monies Payable Upon Deposit of Withdrawal Card**

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

### **32.2.3 – Per Capita Remittal to International Secretary-Treasurer**

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

### **32.2.4 – Dues Receipt**

25 A Local Lodge monthly receipt for the month in which the With-  
26 drawal Card is deposited shall be issued by the Local Lodge Secretary-  
27 Treasurer. A duplicate of this receipt shall be forwarded by the Local  
28 Lodge Secretary-Treasurer to the International Secretary-Treasurer, at  
29 which time the member shall be entitled to all the benefits and privi-  
30 leges of the International Brotherhood provided for in this Constitution.

### **32.3 – 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  
5 the armed forces.

### **32.4 – 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  
3 from the armed forces and regardless of employment status, present the  
4 Service Card and discharge from the armed forces to the Secretary-Trea-  
5 surer of the issuing Local Lodge and sign an application for member-  
6 ship and pay one (1) month's dues. The Secretary-Treasurer shall for-



7 ward such application, with Service Card and proof of discharge, to-  
8 gether with one (1) month's Per Capita Tax to the International Secre-  
9 tary-Treasurer.

### **32.5 – Retired Member's Card**

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

3 **32.5.1.** Retired and receiving a pension under the Social Security  
4 Act, Railroad Retirement Act, or other Governmental legislation; or

5 **32.5.2.** Retired and receiving a pension under a collective bargaining  
6 agreement negotiated by the International Brotherhood or a subordi-  
7 nate body; or

8 **32.5.3.** Disabled and receiving a disability benefit under the Social  
9 Security Act, Railroad Retirement Act, or other Governmental legisla-  
10 tion; may be exempt from payment of dues provided such members  
11 apply for exemption through their Local Lodge and the same is ap-  
12 proved by the International President. When approved, the Interna-  
13 tional President shall issue a life-time membership card to such mem-  
14 ber, same to remain valid as long as the member is retired from all gain-  
15 ful employment under the provisions of Articles 32.5.1, 32.5.2, or 32.5.3.

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

## **ARTICLE 33**

### **SALARY ADJUSTMENTS**

1 **33.1.** The salary set forth in Article 7.3 shall be increased by five per-  
2 cent (5%) on August 1, 2007, and August 1 of each year thereafter; un-  
3 less the Executive Council determines the overall financial condition of  
4 the Brotherhood's consolidated funds do not warrant same. In that situ-  
5 ation, the Executive Council may approve a lesser amount as it deems  
6 appropriate.

7 **33.2.** Effective August 1, 2006, all International Representatives and  
8 staff shall receive not less than a five percent (5%) wage increase. On  
9 each August 1 thereafter, International Representatives and staff shall  
10 receive not less than the wage increase as provided for in Article 33.1.

## **ARTICLE 34**

### **MISCELLANEOUS**

#### **34.1 – Use of Funds**

1 The funds of any subordinate body shall be used only for the pur-  
2 pose of said body as specifically set forth in this Constitution and its ap-  
3 proved By-Laws. Salaries, expenses, and allowances of subordinate

4 body officers shall be set forth in approved By-Laws. A subordinate  
5 body must have prior approval of the International President for the  
6 purchase, sale, lease, or remodeling of real or personal property, except-  
7 ing the necessary office equipment and maintenance for normal opera-  
8 tions in the administration of a subordinate body. All subordinate bod-  
9 ies of the International Brotherhood of Boilermakers are hereby di-  
10 rected to do all their banking, as reasonably practicable, as determined  
11 by the International President, with the Brotherhood Bank & Trust.

### **34.2 – 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  
3 the members of the subordinate body. Upon the surrender, forfeiture, or  
4 revocation of its charter other than through consolidation, all funds be-  
5 longing to such subordinate body shall be forwarded promptly to the  
6 International Secretary-Treasurer and all real estate and other property  
7 owned or held by such body shall be immediately transferred and con-  
8 veyed by the proper legal instrument to the International Board of  
9 Trustees of the International Brotherhood. The International Brother-  
10 hood, through its Board of Trustees, shall be authorized to sell and liq-  
11 uidate such real estate and other property and the proceeds arising  
12 therefrom, after the payment of expenses incurred, shall be deposited  
13 with the other funds so forwarded to the International Secretary-Trea-  
14 surer. All such funds shall revert to the General Fund of the Interna-  
15 tional Brotherhood with proper record of the transfer maintained by the  
16 International Secretary-Treasurer. In the event such subordinate body  
17 should ever be rechartered at that location, the Executive Council is au-  
18 thorized to give approval to the transfer of an amount not to exceed  
19 fifty percent (50%) of such funds from the General Fund to the credit of  
20 the rechartered subordinate body.

### **34.3 – 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 Interna-  
3 tional President at least one (1) copy of all Lodge collective bargaining  
4 agreements and wage scales immediately upon adoption. No collective  
5 bargaining agreement entered into by any subordinate body with any  
6 employer, or group of employers, shall be binding upon the Interna-  
7 tional Brotherhood unless expressly agreed to and signed by the Inter-  
8 national Brotherhood through a duly authorized representative.

### **34.4 – 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 legiti-  
3 mately initiated or reinstated, may have the member's card or the Local

4 Lodge's charter revoked as determined by the International President  
5 and the Executive Council.

### **34.5 – Affiliation Requirements**

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

### **34.6 – 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.

### **34.7 – Litigation Responsibility**

#### **34.7.1 – Subordinate Body**

1 In the event a subordinate body should instigate litigation against  
2 the International Brotherhood or any officer thereof because of the en-  
3 forcement 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.

#### **34.7.2 – International Union**

7 In the event the International Brotherhood should instigate litigation  
8 against a subordinate body or any officer thereof because of the en-  
9 forcement 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  
12 by the subordinate body.

### **34.8 – Ritual**

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

### **34.9 – Agency for Service of Process**

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

### **34.10 – Duty to Pay Financial Obligations**

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

### **34.11 – 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.

### **34.12 – Rules of Order**

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

### **34.13 – Savings Clause**

1 If any provision of this Constitution shall be declared invalid or in-  
2 operative by any competent authority of the executive, judicial, or ad-  
3 ministrative branch of federal or state government, the Executive  
4 Council shall have the authority to suspend the operation of such pro-  
5 vision during the period of its invalidity. If any Article or section of this  
6 Constitution should be held invalid by operation of law or by any tribu-  
7 nal of competent jurisdiction, the remainder of this Constitution or the  
8 application of such Article or section to persons or circumstances other  
9 than those as to which it has been held invalid, shall not be affected  
10 thereby.