

CONSTITUTION

AND

BY-LAWS

INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS

(Affiliated with the AFL-CIO)

LOCAL NO. 478

WACO, TEXAS

Revised 2004

CONSTITUTION

ARTICLE I

Name

SECTION 1

This organization shall be known as the Waco Professional Fire Fighters Association, Local 478, Waco, Texas holding its meetings under the charter granted by the International Association of Fire Fighters.

SECTION 2

References in this Constitution and By-Laws to “Locals” or “Local Union” shall refer to the Local as set forth in Section 1 above, and references to “Association” or “International” shall refer to the International Association of Fire Fighters.

SECTION 3

This local union, its officers, representatives and members, shall recognize, observe and be bound by the provisions of the Constitution and By-Laws of the International Association and the interpretations rendered by the International’s General President, the resolutions, decisions, and directives of the Executive Board or officers of the Association when made in conformity with the authority granted by the Constitutions and By-Laws of the Association, and the resolutions adopted and policies established by the delegates at conventions. Article 13 of the Constitution and By-Laws of the Association is recognized as providing the basic rules governing this Local.

ARTICLE II

Jurisdiction

SECTION 1

The jurisdiction of the Waco Professional Fire Fighters Association shall be as follows: all persons engaged in fire fighting, fire prevention, communications, training, emergency medical, or rescue service activities, who are full-time, permanent and paid employees of the Waco Fire Department. This shall include the following classifications:

Assistant Chiefs, Fire Marshals, Training Officers, Captains, Lieutenants, Fire Alarm Operators, Inspectors, Engineers, Fire Fighters, or retired members of Local 478 in good standing.

ARTICLE III

Membership

SECTION 1

Any person of good moral character who at the time of making application is engaged in service within the jurisdiction of this Local, as given in Article II, and who has been engaged in such service for one year, will be eligible for active membership. Such person wishing to become a member of this Local shall submit a letter to the president requesting to become a member. A majority vote by the members at both meetings in said month is required to join the Association. Newly elected members before being given full membership in the Association subscribe to the affirmation. Anyone eligible for membership in the Association shall not be refused membership or upon acceptance be discriminated against because of race, color, creed, national origin, gender, sexual orientation, or by reason of being handicapped.

SECTION 2

Honorary – For meritorious service to this Local or for distinguished public service, persons may be elected honorary members by majority vote. Honorary members shall not pay initiation fees, dues, or other charges and shall have no voice or vote in this Local. Such membership may be revoked for cause.

Lifetime – for meritorious service to this Local, a member may be granted a lifetime membership by majority vote. Lifetime members shall not pay dues and shall have no voice or vote in the Local. Such membership may be revoked for cause.

SECTION 3

Maintenance of Good Standing – Membership in good standing includes any person who has fulfilled the requirements for membership in this Local and who has not voluntarily withdrawn, become ineligible for continued membership, or been suspended or expelled, as provided in the Constitution and By-Laws of the International or the Local.

SECTION 4

Separation – When any member in good standing is separated from the fire service, the Local Union may allow said member to retain active membership or in lieu thereof, upon request of said member, shall issue a withdrawal card. Withdrawal cards will be presented only to those members who leave the fire service or EMS service in good standing, or who are precluded by law or local ordinance or contractually from maintaining union membership of their fire department position. No reinstatement fee shall be charged if this member rejoins this organization. A member who is elected as an officer of the International Association of Fire Fighters, or who is elected or appointed as a representative of or to an affiliated labor organization, shall retain their active membership in this Local.

SECTION 5

Delinquent Members – Members who fail to pay their dues or assessments within the periods prescribed by the International Constitution and By-Laws, or as required by this Constitution, shall be notified by the proper Local officer that they are delinquent and will be automatically suspended and lose their good standing if payment is not made within sixty (60) days following such notification. Delinquent and suspended members are not entitled to voice or vote in the Local Union or in the affairs of the Association.

SECTION 6

Promotion to Department Head – When a member is promoted from the ranks into the position of chief or department head, they will resign from the Local. They shall no longer be a member of the Local, having no rights or privileges thereof. They are eligible for a withdrawal card if so desired.

SECTION 7

Promotion to Deputy Chief – When a member is promoted from the ranks into the position of Deputy Chief of the department, they shall be issued a withdrawal card if so desired. They shall no longer be a member of the Local, having no rights or privileges thereto. However, if the person holding such rank is demoted under the Civil Service Law back to their previous position, they are once again eligible for membership in the Local.

SECTION 8

Active-Retiree Members – Members, who have retired from this Association or have otherwise withdrawn as members in good standing, may be allowed to return to this Local Association within ninety (90) days as active-retired members.

ARTICLE IV

Meetings

SECTION 1

Regular Meetings – Regular meetings of this Local shall be held on the second Monday and following Tuesday of each month at the time designated by the President which will be posted each month at the fire stations, training, dispatch, prevention, and any other pertinent location. Place of meeting to be designated by the Local.

Special Meetings – Special meetings shall be called by the President upon request of seven members in good standing. Said request shall be in writing, stating the object for which it is called. All members will be notified in writing, at least seven (7) days in advance of the time and place of meeting, and its purpose. No business other than that stated will be in order at the meeting.

SECTION 2

Quorum – A total of five members of both meetings shall constitute a quorum.

SECTION 3

Rights of Members – Every member in good standing shall have the right to attend any meeting and to participate in such meeting in accordance with the recognized rules as set forth in the manual of parliamentary procedures adopted by this Local. Members shall conduct themselves in such a manner as not to interfere with the legal or contractual obligations of the Association or of this Local.

SECTION 4

Rules of Meetings – The rules contained in Atwood's Rules for Meetings shall govern the meetings of this Local in all cases and shall not be in conflict with this constitution, the By-Laws of this Local, or the Constitution and By-Laws of the International Association or interpretations of these documents.

ARTICLE V

Officers and Elections

SECTION 1

The officers of this Local shall consist of the President, First Vice-President, Second Vice-President, Secretary-Treasurer, Assistant Secretary-Treasurer, Sergeant-at-Arms (appointed as needed), Legislative Agent, and three (3) Trustees, whose term of office shall be two years, except trustees who shall serve three (3) years, one being elected the first year for three (3) years, one the second year, and one the third year.

SECTION 2

Only members who have been in good standing for the preceding twelve months ending one month before nominations shall be eligible for office in the Local. Any member not in good standing for non-payment of dues shall have sixty (60) days from notification to pay the amount they are in error. They must be in good standing on the date of nominations.

SECTION 3

Rights of Candidates – Every candidate for office shall have the right to request distribution of campaign literature, by mail or otherwise, to all members in good standing at the candidates own personal expense. If the Local grants this request, all other candidates for office shall receive the same privilege. A candidate for office includes a candidate for membership on the Executive Board or similar governing body. There shall be no discrimination in favor of or against any candidate with regard to the use of membership lists.

SECTION 4

Use of Funds Prohibited in Elections – No funds received by this Local through initiation fees, dues, assessments, or otherwise shall be contributed or applied to promote the candidacy of any person in elections of officers. This section does not prevent the expenditure from Union funds for notices of factual notices so long as they do not involve promotions of any candidate.

SECTION 5

Method of Nominations and Elections – Nominations will take place for the election of officers during the regularly scheduled meetings in October. Elections will take place during the regularly scheduled meetings in November. All members in good standing shall be given at least fifteen day advance notice, in writing, of the date, time, and place at which nominations shall be made and the date, time, and place at which elections shall be held. Any member in good standing may nominate eligible members

for office. Elections shall be by secret ballot, even if only one candidate is nominated for a given office. There shall be no voting by proxy in any election of Local officers. The candidates receiving a majority* of votes shall be declared elected. When no candidate receives a majority, there shall be a run-off election the following regular meeting nights between the two candidates receiving the highest number of votes. The candidate receiving the majority of votes from both meetings will be declared the winner. No write in candidates can be present in a run-off election.

*Majority Vote – An excess of over one-half of all votes cast.

SECTION 6

Elections Committee – The President shall appoint an elections committee which shall be responsible for distributing and tabulating the ballots. Each candidate of office shall be entitled to appoint one observer who shall be permitted to witness the manner of distributions and casting of ballots and attend the meeting of the elections committee at which the votes are tabulated.

SECTION 7

Ballots Preserved – The ballots and all other records of an election of officers shall be preserved by the Secretary-Treasurer for one year.

SECTION 8

Vacancies in Office – Upon the death, resignation or removal for cause of any officer, it shall be the duty of the President, at the next regular scheduled meeting, to order an election to fill such vacancy. The President may appoint an officer during the interim if needed.

SECTION 9

Removal From Office – Any officer absenting themselves from three consecutive meetings without reasonable excuse, their office shall be declared vacant, and it shall be the duty of the President to order an election to fill such vacancy. The President may appoint an officer during the interim.

SECTION 10

Nominating – Upon opening the nominations for any office, the chair shall recognize any member immediately. Three minutes or more shall elapse before the motion for close of nominations is in order. No one member shall consume more than one minute to make a nomination.

ARTICLE VI

Duties of Officers and Committees

SECTION 1

President – The President shall be the executive head of this Local, and shall preside at all meetings of the Executive Board and at all sessions of the Local meetings. The President shall be a delegate to all conventions of this Local by virtue of his office. The President shall be a member by choice of any committee. The President shall appoint all committees. Together with the Secretary-Treasurer, the President shall sign all orders and checks on the Local, which in his judgment are lawful and properly drawn. The President shall enforce strict observance of the Constitution and By-Laws of the Local, shall interpret such laws, and decide any disputes concerning their meaning and application, which shall be appealed to him/her. The President shall also discharge on the behalf of the Local, such duties as may be imposed upon him, by applicable law, including the execution and filing of any reports to Federal, State, and International authorities. The President shall receive a salary of \$325 (three hundred and twenty five dollars) per month.

SECTION 2

First Vice-President – The First Vice-President shall perform the duties of the President in their absence, and in the case of resignation or death of the President, shall perform the duties of the President until such vacancy is filled by an election. The First Vice-President shall preside when called upon by the President, and at times when the President may be temporarily unable to perform his or her duties.

SECTION 3

Second Vice-President – The Second Vice-President shall perform the duties of the First Vice-President in their absence, and in case of resignation or death of the President or the First Vice-President, shall perform the duties of the President until such vacancy is filled by an election. They shall also preside when called upon by the President. The Second Vice-President must work on a shift other than the First Vice-President or President so that an officer will be present to preside over each Local meeting.

SECTION 4

Secretary-Treasurer – The Association shall, either in its By-Laws or by resolution, designate a bank or other depository, and therein the Secretary-Treasurer shall deposit to the credit and in the name of the Association all funds so received by him/her and the same shall be drawn out by checks signed by the Secretary-Treasurer and countersigned by the President. He/she shall pay all orders on him/her signed by the President under the seal of the Association. He/she shall not lend Association funds or

use them in any business or for any purpose, except as the laws of the Association designated. He/she shall keep a regular and correct account of all monies received and paid by him/her. He/she shall make a report every three months of the condition of the treasurer, and submit his/her books and vouchers to the Trustees whenever required. All vouchers to be drawn on the Secretary-Treasurer as needed except in case of an emergency. He/she shall perform such other duties as the laws, rules and usages of the Association enjoined, not stated in this section. The Secretary shall discharge on behalf of the Local such duties as may be imposed upon him/her by applicable law including the execution and filing of any reports to Federal or State authorities, and he/she shall cause to be maintained by the Local Union such records as the law requires to be kept in support of reports filed by it. The Secretary-Treasurer, as the financial officer, shall forward the annual audit of the Local to the International General Secretary-Treasurer over the seal of the Local not later than the first of June annually. He/she shall be delegate to all conventions of this Local by virtue of their office. He/she shall receive a salary of \$275 (two hundred and seventy five dollars) per month.

SECTION 5

Assistant Secretary-Treasurer – The Assistant Secretary-Treasurer shall perform the duties of the Secretary-Treasurer in the absence of that officer and in case of resignation or death of the Secretary-Treasurer, shall perform those duties until such vacancy has been filled by an election as provided for by this Constitution. This position shall also assist the Secretary-Treasurer with any duties that are assigned to them. The Assistant Secretary-Treasurer shall assist the Legislative Agent with the booking of the PAC fund. This position shall receive a salary of \$100 (one hundred dollars) per month.

SECTION 6

Trustees – The Trustees shall audit the books of the Secretary-Treasurer semi-annually or when called upon by the Executive Board and report their findings on the same to the Association,

SECTION 7

Sergeant-at-Arms – The Sergeant-at-Arms shall have charge of the door, take the password from members before they are allowed to enter, prevent them from leaving without permission of the chair, and shall introduce all new members and visitors. They shall also take charge of all property of the Association not otherwise provided for, and perform other such duties as may from time to time be assigned.

SECTION 8

Labor Council Delegates – The duties of delegates to Trades and Labor Councils shall be to attend all regular and special meetings of such organizations and report same at the next regular meeting of this Association, and use their best efforts to further the interest of this Local and its members. The delegates shall be available to attend

conventions, seminars, and workshops of the AFL-CIO. Of the three delegates, there will be place one, two, and three appointed by the President. Place one will be Chairman of this delegation with the right to call for a caucus before voting.

SECTION 9

Executive Board – The Executive Board shall consist of the President, First Vice-President, Second Vice-President, Secretary-Treasurer, Assistant Secretary-Treasurer, Legislative Agent, and three Trustees.

SECTION 10

Handling Funds – All officers and employees of the Local who handle funds or property of the Local shall be bonded in such amounts as may be required by the Board of Trustees and the International General Secretary-Treasurer, in compliance with applicable law, the expense of the first \$5000 (five thousand dollars) shall be borne by the Association. If additional bond is necessary, the Local shall pay the additional premium. The Local shall have sufficient bond to cover at least 10% (ten percent) of its current liquid assets.

SECTION 11

Shift Stewards – There will be members appointed by the President to cover 3 to 4 stations to assist with getting information to these stations and to aid the President and all standing committees in their efforts.

SECTION 12

Committees – All regular and standing committees shall be appointed by the President, and shall be composed of not less than three members. They shall serve for a period of one year unless discharged.

SECTION 13

Grievance Committee – This committee shall be composed of 5 (five) members appointed by the President. The First Vice-President shall chair this committee. It shall be the function of this committee to handle all grievances according to the collective bargaining contract of this Association. This committee shall also be responsible for any grievances that are brought against any member in accordance with Article IX.

SECTION 14

Bargaining Committee – This committee shall consist of the President and four members appointed by the President. One person shall be designated to keep the minutes of the meetings. Each member of this committee shall be paid 425 (twenty-five dollars) a

day on the days that bargaining meetings take place. If a member of this committee is on duty then they will not receive the pay.

SECTION 15

Political Committee – The chairman of the Political Committee will be the Legislative Agent. The Assistant Secretary-Treasurer and one other member of this Local shall comprise this committee. This committee shall be responsible for activities of city, county, state and federal political activities. They shall also be responsible for all reports to Local 478 and the Political Action Committee Reports according to state and federal laws. This committee shall make monthly written reports to the body. This committee shall investigate and find candidates for the Local to support. The committee will bring back recommendations to the body, except when it is not feasible because of a time factor, then they shall report to the Executive Board. This committee shall maintain a separate checking account and provide monthly reports to the body. This account shall be audited semi-annually by the Trustees. Donations to any political campaign or candidate will be paid with PAC money only. Political donations will be decided by a majority of the Executive Board or if time is a factor, by the committee itself. The committee will visit members of this Local to encourage membership into the PAC fund. The funding for the PAC fund cannot and will not come from Association dues. The committee must have its own fundraisers.

SECTION 16

Sickness, Injury and Death Committee – This committee shall be comprised of three members appointed by the President. The duties of this committee shall be to stay informed of any rules and regulations within the city concerning sick and injury time and usage. This committee shall also assist members with any workers compensation injuries. In the event of the death of a member of this Local, whether it be line of duty or not, this committee shall assist the beneficiary of such member with any type of compensation the beneficiary has with federal, state and city benefits, up to and including insurance, disability and retirement policies.

SECTION 17

Reports of Committees – The chairman of each appointed and special committee shall, before each monthly meeting, report the progress of their respective committee to the Secretary of the Local.

SECTION 18

Roster of Committees – The President shall cause to be published and distributed to each fire station the roster and the chairman of each committee.

SECTION 19

All expenditures of this Local shall be made by check.

ARTICLE VII

Delegates and Alternates to Association Conventions

SECTION 1

Election of Delegates – Delegates and Alternates to any convention shall be nominated not less than 90 (ninety) days before the convention, and shall be elected in the same manner as officers of this Local. All nominations shall be held at the regular meetings the same month.

SECTION 2

Eligibility – Delegates to the Texas State Association of Firefighters Convention shall be qualified in the following manner:

1. Delegate Place 1 shall be the President of the Local.
2. Delegate Place 2 shall be the Secretary-Treasurer of the Local.
3. Delegate Place 3 shall be nominated and voted on with the same requirements to be an officer in this Local.
4. The Legislative Agent will take the place of Delegate Place 1 or Delegate Place 2 when deemed necessary by the Executive Board to the Texas State Association of Firefighters Legislative Convention, the Texas AFL-CIO Convention, and the Texas AFL-CIO COPE Convention.
5. In the event there is no one eligible for place two or place three under these rules, these delegates shall be nominated under the same qualifications as delegates place three.
6. Delegates to the International Association of Firefighters Convention shall be the same as the Texas State Association of Firefighters Convention.
7. There shall be two delegates to the Texas State AFL-CIO Convention and they shall be the same as the Texas States Association of Firefighters Convention.
8. In order to be eligible for nomination to any convention, a member must meet the same requirements as to be an officer of this Local. The Executive Board shall prepare a list of eligible members from the register and it shall be submitted to the body prior to nominations.
9. Alternate delegates in all cases shall be nominated by members in good standing and voted on by secret ballot with no attendance requirement.

SECTION 3

Expenses and Compensation – expenses and compensation shall be paid at the rate of \$100.00 (one hundred dollars) per day per diem, \$40.00 (forty dollars) per day for meals, hotel paid if overnight and paid by receipt, mileage based on the current IRS law for travel to another city, relief man if business comes on duty day and paid at the rate of \$175.00 (one hundred and seventy five dollars) per shift. If Association pays for a relief worker, the member doing business will not receive per diem that day. Local will allow 1 (one) extra day (full per diem and expense) for travel, if deemed necessary by the Executive Board. Trip must have prior approval of Executive Board.

SECTION 4

The President, due to short notices, shall appoint delegates to any Texas State Association workshop or seminar workshops on occasions. Delegates shall be members in good standing.

ARTICLE VIII

Initiation Fees, Dues and Assessments

SECTION 1

Initiation Fees – Initiation fees shall be paid in the amount of \$10.00 (ten dollars), submitted with application for membership.

SECTION 2

Dues – Monthly dues shall be 1% (one percent) of the monthly base pay of a 6 (six) year firefighter. Dues are to be deducted from your payroll check by the City of Waco Finance Dept. for all members excluding retired members (dues check off). Dues for retired members shall be \$5.00 (five dollars) a month, payable quarterly to Local 478. The Secretary-Treasurer shall make a monthly report to the International General Secretary-Treasurer of any members who are delinquent in their dues and any members who have been suspended from membership for non-payment of dues after notification aforesaid. No dues cards shall be issued by the International General Secretary-Treasurer as provided in Section 2 of Article VI of the International Constitution.

SECTION 3

Assessments – Assessments may be made only for the purpose of liquidating the liabilities of this Local. All assessments require a majority vote of members present at a regular or special called meeting. Amount of assessment and time and methods of payment are also determined at the same time the assessment is voted by the body. Each

member in good standing shall be notified in writing at least thirty days in advance of the date on which the vote for an assessment is to occur. The proposed assessment shall become effective upon a majority of the members in good standing, by secret ballot, at a regular meeting, or by a referendum conducted by a secret ballot.

SECTION 4

Reinstatement Fees – Reinstatement fees shall be \$10.00 (ten dollars) if the member applying for reinstatement meets requirements found in Article II, Section 5 of the By-Laws of the Local.

SECTION 5

Increases – Increases in rates of initiation fees, reinstatement fees, or assessments, require notice of such proposed increases to be given to the members in good standing at least 30 (thirty) days in advance of the date on which the vote for such increase is to occur. The proposed increase shall become effective upon a majority vote of all the members in good standing by secret ballot at a regular or special meeting, or by a referendum conducted by a secret ballot.

ARTICLE IX

Misconduct, Trials and Appeals

SECTION 1

Misconduct – Any member charged with misconduct as defined in Article XV of the International Constitution and By-Laws shall be served with written specific charges as required in Article XVI of the Association Constitution and be given a reasonable time to prepare their defense and afford a hearing as provided in Article XVII of the Association Constitution.

SECTION 2

Appeals – Appeals may be made in accordance with Article XVIII of the International Constitution and By-Laws. Such appeals must be filed with the General President of the International within 30 (thirty) days of the action to be appealed.

SECTION 3

Trials – In case charges for infraction of rules or regulations of the Waco Fire Department are placed against any member of this organization, it shall be the duty of this Local to make a thorough investigation of said charges. It shall be the duty of this Local to provide legal counsel to said member at the expense of this Local. It shall be the

duty of this Local to protect its members at all times. If charges are placed against a member, they shall be considered innocent until proven guilty,

ARTICLE X

Audit

SECTION 1

Audit – The books and accounts of this Local shall be audited semi-annually or when called upon by the Executive Board by the Trustees and report their findings on the same to the Local. The Secretary-Treasurer shall make a quarterly financial report to the Local as required by this Constitution, Article VI, Section 4. The Trustees shall make an audit annually to be forwarded to the International General Secretary-Treasurer over the seal of the Local no later than the first of June annually. Such audit to cover the fiscal year beginning May 1st and including and up to April 30th of the following year (or current year) and shall include an accurate accounting of all employees within the Local's Association fire department.

ARTICLE XI

Management, Investment, and Disbursement of Union Funds and Property

SECTION 1

Funds and property of this Local shall be handled and disbursed according to Article VI, Section 4 unless specifically provided for elsewhere in this Constitution and By-Laws and according to Article XIII, Section 10 of the International Constitution.

SECTION 2

The Executive Board of this Local shall have the power to appropriate from the Treasurer, a sum not to exceed \$100.00 (one hundred dollars) to meet any emergency in defraying necessary expenses and benefits hereinafter provided for.

ARTICLE XII

Amendments

SECTION 1

The Constitution of this Local may be amended by a two-thirds vote of those present at any regular or special meeting of this Local, provided that the amendment to voted on has been presented to the body in regular meeting and filed with the Secretary for 30 (thirty) days prior to the meeting at which the vote is taken.

SECTION 2

A proposed amendment to this Constitution or any By-Laws made under its provisions shall be submitted for approval to the International General President prior to its printing or issuance, after it has first been voted on and adopted by the membership.

BY-LAWS

ARTICLE I

SECTION 1

The objective of this organization is to foster and encourage a high degree of skill and efficiency, the cultivation of friendship and fellowship among its members, the maintenance of proper remuneration for duty performed, and the elevation and improvement of the moral, intellectual, social and economic conditions of its members.

SECTION 2

We shall not strike, as our position is peculiar to most organizations, as we are formed to protect the lives and property of the community, in case of fire or other serious hazard.

ARTICLE II

Obligation of Local to Members

SECTION 1

Any member in good standing shall be entitled to a membership card to be received from the Secretary. All fines, dues and assessments levied on members shall be paid and up to date before renewing members' cards.

SECTION 2

All expenses incurred by delegates and duly appointed committee members on official business out of McLennan County shall be paid by this organization at the rate of \$100.00 (one hundred dollars) per day per diem, \$40.00 (forty dollars) per day for meals, hotel if overnight (paid from receipt), mileage based on the current IRS law, relief man if business comes on a duty day (paid at the rate of \$175.00 (one hundred seventy five dollars) per shift). If Association pays for a relief worker, the member doing business will not receive those days per diem. Local will allow 1 (one) extra day (full per diem and expense) for travel, if deemed necessary by the Executive Board. Trip must have prior approval of Executive Board. The exception to this rule is when a State Convention is held in McLennan County, then only 3 (three) delegates allowed by the State shall be paid at the rate above.

SECTION 3

All laws, amendments and alterations to these By-Laws made hereafter shall be applicable to members in the same manner as if such laws were inserted.

SECTION 4

In the event of non-compliance by a member with a final decision handed down by a trial board, appellate body, or the Executive Board of this Local, the Executive Board may suspend from all privileges of the Association such a member until the provisions of the decision have been complied with.

SECTION 5

Conduct unbecoming a firefighter and for which disciplinary measures are provided for are a part of the routine of the Fire Department and should not be discussed within or without the Local.

SECTION 6

There shall be a book or register to be furnished by the Local so that each member present may register at every meeting. The register is to be kept in the custody of the Secretary.

ARTICLE III

Committees

SECTION 1

No member shall be nominated for the candidacy of any office nor shall they serve on any committee, nor shall they be allowed to vote on any question unless they are in possession of a fully paid-up membership card in this organization.

SECTION 2

The By-Laws Committee shall be appointed at the first regular meeting in October, to revise or change the By-Laws for the following year.

SECTION 3

The President can appoint committees as needed.

ARTICLE IV

Written Requirements

SECTION 1

Resolutions, amendments to Constitution and By-Laws and charges against any member or officer must be made and presented in writing, otherwise they shall not be considered.

ARTICLE V

Ignorance of Laws

SECTION 1

Ignorance of the laws of this Local will not be considered an excuse in any case involving such laws or violations of the same.

ARTICLE VI

Rules of Order

RULE 1

Shift meetings are considered as parts of a meeting rather than a complete meeting itself. Unfinished business of each regular meeting will normally be the new business of the preceding regular meeting. New business or motions made on the Tuesday meeting will be held over as unfinished business of the next month's regular Monday meeting. The total votes cast of the two meetings determines whether a motion passed.

RULE 2

There is no motion necessary to concur or no with another shifts motion. All that is required is discussion of the motion, amending the motion or voting on the motion.

RULE 3

A motion passed by one meeting can be amended by the other and sent back to the first, but cannot be tabled.

RULE 4

Action taken by one meeting must be referred to the other except when a final vote is taken.

RULE 5

The total number of votes for and against a motion at both shift meetings determines whether a motion passed.

RULE 6

If one shift meeting adopts a motion and the other shift meeting amends it and sends it back, then the first shift meeting defeats the amendment, the total votes in both meetings determine whether the amendment passed.

RULE 7

The Secretary of each meeting shall read the minutes of the three previous meetings to insure that all members will have an opportunity to vote on all items of business of the Local.

RULE 8

On motion the regular order of business may be suspended by a two-thirds vote of the meeting at any time to dispose of anything urgent.

RULE 9

Any conversation by whispering or otherwise, which is calculated to disturb a member while speaking or hinder the transaction of business, shall be deemed a violation of order.

RULE 10

Sectarian discussion shall not be permitted in the meeting under any circumstances.

RULE 11

A motion to be entertained by the presiding officer must be seconded and the mover as well as the seconder must rise and be recognized by the chair.

RULE 12

Any member having made a motion can withdraw it by consent of their second, but a motion once debated cannot be withdrawn except by a majority vote.

RULE 13

A motion to amend an amendment shall be in order, but no motion to amend an amendment to an amendment shall be permitted.

RULE 14

A motion shall not be subject to debate until the chair has stated it.

RULE 15

When a member wishes to speak they shall rise and respectfully address the chair, and if recognized by the chair they shall be entitled to proceed.

RULE 16

If two or more members rise to speak at the same time, the chair shall decide which is entitled to the floor.

RULE 17

Members when speaking shall confine themselves to the question under debate and avoid all personal, indecorous, or sarcastic language.

RULE 18

No member shall interrupt another while speaking, except to a point of order, and they shall definitely state the point, and the chair shall decide the same without debate.

RULE 19

If a member, while speaking, be called to order, they shall take their seat until the point of order is decided, and when, if decided in order they may proceed.

RULE 20

No member shall speak more than once on the same subject until all members desiring the floor have spoken, nor more than twice without unanimous consent, nor more than five minutes at any one time without consent of two-thirds vote of all members present.

RULE 21

The presiding officer shall not speak on any subject, unless they retire from the chair, except on points of order. In case of a tie, the presiding officer shall have the casting vote.

RULE 22

When a question is before the meeting, no motion shall be in order except:

- a. to adjourn
- b. to lay on the table
- c. for the previous question
- d. to postpone to a given time
- e. to refer to committee
- f. to amend

and these motions shall have precedence in the order herein arranged, subject only to Rules 1 through 6 concerning shift meetings. The first three of the above motions are not debatable subject to the same rules according to shift meetings.

RULE 23

If a question has been amended, the question on the amendment shall be put first. If more than one amendment has been offered, then it shall be put as follows:

- a. Amendment to Amendment
- b. Amendment
- c. Original Proposition

RULE 24

A motion to adjourn shall be in order except:

- a. When a member has the floor
- b. When members are voting

RULE 25

Before putting a question to vote, the presiding officer shall ask, "Are you ready for the Question?". Then it shall be open for debate. If no member rises to speak, the presiding officer shall then put the question in this form: "All in favor of this motion say aye." After the affirmative is expressed the presiding officer shall then ask: "Those of contrary opinion say no." After the vote is taken the presiding officer shall announce the result in this manner: "It seems to be carried (or lost); it is carried (or lost) and so ordered.

RULE 26

Before the presiding officer declares the vote on a question, any member may ask for a division of the house, then the chair is duty bound to comply with the request and a standing vote shall then be taken and the Secretary shall count the same.

RULE 27

When a question has been decided it can be reconsidered only by a two-thirds vote of those present.

RULE 28

A motion to reconsider must be made and seconded by two members who voted with the majority.

RULE 29

No member other than officers of Local 478 may use the name of Local 478 or claim to represent Local 478 without consent of the Local by vote.