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Article VI  
OFFICERS

*International  
union officers*

Section 1. The officers of this International Union shall consist of an International President, an International Secretary-Treasurer, four full-time Executive Vice Presidents, 21 Vice Presidents (two of whom shall be members of Canadian Local Unions), and 40 Executive Board Members (two of whom shall be members of Canadian Local Unions and one of whom shall be a Retired Member). The International President, the International Secretary-Treasurer, and the four Executive Vice Presidents shall be elected at large by all delegates assembled at the International Convention. The Canadian Vice Presidents and Canadian Executive Board Members shall be elected on the following basis: A Vice President and Board Member shall be nominated and elected from all of the provinces other than the Province of Quebec. A Vice President and Board Member shall be nominated and elected from the Province of Quebec only, provided however, that the Vice President from Quebec and the Executive Board Member from Quebec may not be members of the same Local Union. Canadian Vice Presidents and Executive Board Members shall be elected by the Canadian Council at its Convention composed of delegates elected in accordance with this Constitution and applicable law and which shall be held within 90 days prior to the International Convention at which the International Union officers are elected. The Canadian delegates shall not participate in the nomination or the election of Vice Presidents or Executive Board Members, at the Convention except for the Retired Member. All other Vice Presidents and Executive Board Members (including the Retired Member) shall be nominated and elected at large.

*Retired  
member*

*Canadian  
officers*

*IEB term of  
office*

Section 2. These officers shall constitute the International Executive Board, and their term of office shall begin immediately following their election and they shall hold office for four years or until their successors are duly elected and qualify.

*Duties*

(a) Each Vice President and Executive Board Member shall be responsible for such duties as assigned by the International President.

*Executive  
committee*

(b) The International President may appoint an Executive Committee from among the members of the International Executive Board. The Executive Committee shall meet at the call of the International President. The Executive Committee shall be charged with advising the International President on how best to carry out the administrative duties of his or her office, and with making recommendations to the International Executive Board on policies and programs for the International Union. The Executive Committee also may be delegated specific functions and powers of the International Executive Board under the Board's authority in Article XI, Section 6 B. Minutes of all meetings of the Executive Committee shall be kept by the International Secretary-Treasurer, who shall render reports to the International Executive Board.

*Board of  
auditors*

Section 3. Each regular Convention of this International Union shall also elect a Board of Auditors consisting of eight

per capita tax provision, this authority shall also apply in the event the Executive Board determines that such actions are necessary at an earlier stage of judicial or administrative proceedings in order to ensure the effective implementation of the intent of the Constitutional provision at issue. If any Article or Section of this Constitution should be modified or held invalid by operation of law or by any tribunal of competent jurisdiction, the remainder of this Constitution or the application of such Article or Section to persons or circumstances, other than those as to which it has been held invalid or modified, shall not be affected thereby.

**SEIU MEMBER BILL OF RIGHTS AND  
RESPONSIBILITIES IN THE UNION**

*Rights*

The right to have opinions heard and respected, to be informed of union activity, to be educated in union values and union skills.

The right to choose the leaders of the union in a fair and democratic manner.

The right to a full accounting of union dues and the proper stewardship over union resources.

The right to participate in the union's bargaining efforts and to approve union contracts.

The right to have members' concerns resolved in a fair and expeditious manner.

*Responsibilities*

The responsibility to help build a strong and more effective labor movement, to support the organizing of unorganized workers, to help build a political voice for working people, and to stand up for one's co-workers and all workers.

The responsibility to be informed about the internal governance of the union and to participate in the conduct of the union's affairs.

The responsibility to contribute to the support of the union.

The responsibility to treat all workers and members fairly.

The responsibility to offer constructive criticism of the union.

**SEIU MEMBER BILL OF RIGHTS  
AND RESPONSIBILITIES ON THE JOB**

*Rights*

The right to have work that is worthwhile to society, personally satisfying to the worker, and which provides a decent standard of living, a healthy and safe workplace, and the maximum possible employment security.

The right to have a meaningful and protected voice in the design and execution of one's work and in the long-term planning by one's employer as well as the training necessary to take part in such planning.

The right to fair and equitable treatment on the job.

The right to share fairly in the gains of the employer.

The right to participate fully in the work of the union on the scope, content and structure of one's job.

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Article XXIV  
AMENDMENTS

*Amendment procedure*

This Constitution and Bylaws may be amended by action of any regular Convention of the International Union or Special Convention called for that purpose. Amendments may be proposed at such Convention in the same manner as is provided herein for the submission of Convention resolutions. A majority of the Convention votes cast on such amendment shall be necessary for adoption. Except as otherwise provided, all amendments shall be effective immediately upon adoption by the Convention.

Article XXV  
DISSOLUTION

*Dissolution procedure*

This International Union cannot dissolve while there are seven dissenting Locals. No Local Union, provisional local or organizing committee can dissolve, secede or disaffiliate while there are seven dissenting members; no other affiliated bodies can dissolve, secede or disaffiliate while there are two dissenting Local Unions. The International Union shall be notified by registered or certified mail of any meeting, scheduled by a Local Union or affiliated body for the purpose of taking a vote on disaffiliation from the International Union at least 60 days prior to the date of such scheduled meeting, and a representative of the International Union shall be afforded an opportunity to speak at such meeting. The International President shall direct whether the membership vote shall be conducted by secret ballot at a membership meeting and/or by mail referendum, and, if appropriate, a separate method by which dissenting Local Unions or members may assert their dissent. The vote shall be counted by an independent neutral party. In the event of secession, dissolution or disaffiliation, all properties, funds and assets, both real and personal, of such Local Union or affiliated body shall become the property of the International Union. Under no circumstances shall any Local Union or affiliated body distribute its funds, assets or properties individually among its membership.

*Membership dues and dissent*

*Reversion of property, funds*

*Savings provision*

If any provision of this Constitution shall be modified or declared invalid or inoperative by any competent authority of the executive, judicial or administrative branch of a state, provincial or federal government, including but not limited to, any provision concerning dues or per capita tax, the Executive Board shall have the authority to suspend the operation of such provision during the period of its invalidity or modification and to substitute in its place and stand a provision which will meet the objections to its validity and which will be in accord with the intent and purposes of the invalid or modified provision. In the case of a challenge to a dues or

Article XXVI  
SAVINGS PROVISION

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members. The Board of Auditors shall examine and review the books and accounts of the International Secretary-Treasurer once during each six-month period, utilizing the assistance of Certified Public Accountants designated by the International President. Such reviews of the books and accounts of the International Secretary-Treasurer shall include the books respecting all properties and facilities under the custodianship of the International Secretary-Treasurer. A copy of such semiannual reports of the Board of Auditors shall be submitted to the International Executive Board. The Board of Auditors shall also give a written report to the International Convention. In the event of the unavailability or temporary disability of an Auditor, the remaining Auditors shall perform the duties set forth herein. The Auditors shall receive such per diem compensation and expense allowance as may be fixed by the International Executive Board.

*Qualifications for officers*

Section 4. No person shall be eligible for office in this International Union who has not been a member in continuous good standing for at least two years immediately preceding his or her election in the International Union or Local Unions chartered by this International Union or in any labor organization which becomes affiliated with this International Union. This requirement may be reduced by the International Executive Board to no less than 60 days if necessary to expand eligibility for office to members of organizations newly associated with the International Union pursuant to Article XI, Section 6. In the case of the Retired Member position on the International Executive Board, only retired members who have been members in good standing for two years prior to the Convention as either members, retired members or life members of the Local Union shall be eligible to serve. No person who has been convicted of a felony as defined in Section 504 of the Landrum-Griffin Act (or an indictable offense in Canada) shall, in accordance with the provisions of applicable law, be eligible to hold office in this International Union.

*Limitation*

Section 5. No more than two members from any one local union, excluding those persons serving as full-time officers of the International Union, may serve on the Executive Board at the same time. This limitation shall be increased to five members for any Local Union with more than 200,000 members.

*Exclusions*

Section 6. Associate members, life members or those retired members paying less than the full dues required for working members of their Local Union shall not be eligible for nomination as an International officer, except that such retired members may be eligible for the Retired Member position on the International Executive Board.

*Multiple compensation barred*

Section 7. No full-time officer of the International Union may receive compensation of any kind, except for benefits paid by a pension plan, from any Local Union or from any entity owned or controlled by a Local Union.

*Retired members advisory committee*

Section 8. The International President shall appoint a Retired Members Advisory Committee which shall consist of leaders of local union retired members groups and retired International Executive Board Members. It shall be chaired by a retired member appointed by the International President.

*Emeritus status*

Section 9. The future grant of emeritus status to an International officer shall be limited to an individual who has been elected as International President at no fewer than three international conventions. Such status shall entitle the individual to be an honorary guest at the SEIU International Convention and he/she may be appointed by the International President as a delegate or alternate delegate on the SEIU delegation to a national or international federation convention. Additional assignments may be made by the International President, upon mutual agreement.

**Article VII  
FILLING VACANCIES**

*Filling officer vacancies*

In the event of a vacancy in the office of International President by reason of death, resignation or otherwise, it shall be the duty of the International Secretary-Treasurer, in addition to his or her other duties, to assume the duties of International President. The International Secretary-Treasurer shall serve in this capacity for a period of not longer than 30 days during which time the International Executive Board shall be convened for the purpose of filling the vacancy for the unexpired term by majority vote. In the event of a vacancy in the office of International Secretary-Treasurer by reason of death, resignation or otherwise, it shall be the duty of the International President, in addition to his or her other duties, to assume the duties of International Secretary-Treasurer. The International President shall serve in this capacity for a period of not longer than 60 days during which time the International Executive Board shall be convened for the purpose of filling the vacancy for the unexpired term by majority vote. In the event of a vacancy among the Vice Presidents, or on the Board of Auditors, by reason of death, resignation or otherwise, the International Executive Board shall, within 90 days after such vacancy has occurred, fill the vacancy for the unexpired term by majority vote. In the event of a vacancy among the Executive Vice Presidents or International Executive Board Members, by reason of death, resignation or otherwise, the International Executive Board may in its discretion fill such vacancy for the unexpired term by a majority vote. In the event of a concurrent vacancy in both the office of the International President and the office of the International Secretary-Treasurer by reason of death, resignation or otherwise, the International Executive Board shall be convened in Washington, D.C., within 10 days upon the joint call of at least four International Vice Presidents for the purpose of filling the unexpired terms by majority vote. In the case of a vacancy in the office of International President, International Secretary-Treasurer or Executive Vice President, the vote of an officer on the International Executive Board (except for the full-time officers and the Retired Member) shall be proportionate to the numerical strength of his/her local, as determined by the Local's payment of per capita tax to the International Union, excluding associate members, life members, retired members paying less than the full dues required for working members of their Local Union, and agency fee payers. If more than one officer is from the same Local Union, the voting strength shall be divided equally among those officers for this purpose.

*Secretary-Treasurer*

*Executive Vice Presidents  
Vice Presidents  
Auditors*

*Executive Board*

*Concurrent vacancies*

*Working strength*

**Article XXII  
NONLIABILITY OF INTERNATIONAL UNION**

Except as is otherwise specifically provided in this Constitution, no Local Union, or affiliated body, nor any officer, employee, organizer or representative of a Local Union or affiliated body or of this International Union shall be authorized to make contracts or incur liabilities for or in the name of the International Union unless authorized in writing by the International President and the International Secretary-Treasurer, or the International Executive Board.

**Article XXIII  
LITIGATION**

A. Subject to applicable law, no member, Local Union or affiliated body shall bring any action against the International Union or any other Local Union or affiliated body or any officers thereof, with respect to any matter arising out of the affairs of the International Union or its Local Unions or affiliated bodies unless he or she has exhausted all procedures available under this Constitution and the laws promulgated thereunder. Any member, or Local Union or affiliated body, filing suit in violation of this provision may, in addition to other penalties, be ordered to reimburse the organization or officers sued for the costs and attorneys' fees expended, or a portion thereof.

B. The International Union is authorized upon affirmative vote of the International Executive Board to pay all expenses for investigation services, employment of counsel and other necessary expenditures in any cause, matter, case or cases where an International Union officer, representative, employee, agent or one alleged to have acted on behalf of the International Union is charged with any violation or violations of any law or is sued in any civil actions with respect to any matter arising out of his or her official duties on behalf of the International Union, except if such officer, representative, employee or agent is charged with a breach of trust to the International Union, or any affiliate or member thereof, in which event he or she may be indemnified only if the action is terminated favorably to him or her.

C. Neither the International Union nor any of its officers shall be responsible or liable for the wrongful or unlawful acts of any Local Union or affiliated body or officers, members, or agents thereof, except where the International Union or its officers have actually participated in or actually authorized such acts, or have ratified such acts after actual knowledge thereof.

D. Only the elected officers of the International Union are authorized to be its agents for service of process. General organizers, staff members and employees of the International Union and the officers and employees of subordinate bodies are not authorized to be agents of the International Union for service of process under any circumstances.

*Lack of authorization to obligate International*

*Obligation to estimate procedural remedies*

*Authority to defend*

*Limitation of liability*

*Service of process*

are the purposes of this Article XX and to protect the rights and interests of the participants of the Pension Fund.

*Safeguarding of assets*

Section 7. The Trustees shall keep all assets of the Pension Fund separate and distinct from all other revenue and income received by the International Union; shall transfer said Pension Fund assets to Corporate Trustee(s) or Corporate Custodian(s) which they may appoint; may remove any such Corporate Trustee(s) or Corporate Custodian(s) and appoint a successor and may pay the fees of such Corporate Trustee(s) or Corporate Custodian(s) from the Pension Fund.

*Pension contributions*

Section 8(a). Subject to any changes and amendments made by the International Executive Board or the Trustees pursuant to their authority set forth herein, each Local Union and affiliated body within the United States shall pay to the Pension Fund an amount equal to 14 percent of the gross monthly compensation of each eligible officer and employee, and each Local Union and affiliated body within Canada shall pay to the Pension Fund an amount equal to 14 percent of the gross monthly compensation of each eligible officer and employee.

*Time of contributions to pension fund*

(b) The contribution provided for above shall be paid to the Pension Fund before the end of the month following the month in which the eligible officer or employee receives any compensation on which a pension contribution is payable. Contributions shall commence from the first date of employment of the eligible officer or employee.

*Sanctions for nonpayment*

(c) If a Local Union or affiliated body required to contribute to the Pension Fund fails to make payments required herein, the provision of Article XIII, Section 3 of this Constitution and Bylaws shall be applicable.

*Limitation of liability*

Section 9. The International Union shall indemnify all Trustees, the Fund Coordinator and Fund office employees from and against any liability which they may incur while acting in their official capacities, except for liability resulting from their gross negligence, willful misconduct, fraud or criminal act, including the cost of all legal expenses incurred in connection with the defense against any such charge.

*Obligation to enforce constitution*

Any Local Union or affiliated body willfully neglecting to enforce the provisions of this Constitution and Bylaws shall be subject to suspension or revocation of its charter or such other sanctions as may be determined by the International President.

**Article XXI  
LOCAL ENFORCEMENT OF  
INTERNATIONAL CONSTITUTION**

**Article VIII  
INTERNATIONAL PRESIDENT—  
DUTIES AND POWERS**

Section 1(a). It shall be the duty of the International President to preside at the Convention of the International Union and at meetings of the International Executive Board, and conduct them in accordance with parliamentary rules and in conformity with this Constitution. The International President shall appoint all committees and boards and be a member ex officio of all committees and boards.

(b). The International President shall have the deciding vote in case of a tie on any question.

(c). The International President shall act to the best of his or her ability in furthering the purposes and objects of the organization and the interests of its members.

(d). The International President shall have general supervision and direction over the affairs of the International Union. The International President shall be authorized to call and make arrangements for such meetings, seminars and conferences as he or she may deem necessary; and shall direct all departments, functions and programs of the International Union.

(e). The International President shall have general supervision and direction of the organizing efforts of this International Union. The International President shall have power to appoint organizers, representatives, coordinators and organizing committees and to make such loans or grants such subsidies to Local Unions and affiliated bodies as he or she deems necessary.

(f). The International President shall be empowered to negotiate and enter into national, regional, or area-wide collective bargaining agreements, including companywide or multiemployer agreements, and to coordinate activities toward this end in consultation with the Local Unions involved, and is authorized to require and direct coordinated bargaining among Local Unions. An industry division of the International Union also may recommend to the International President situations in which coordinated bargaining is warranted. Accordingly, the industry divisions shall develop a process to identify such circumstances and in each case, the proposed structure for carrying out the decision-making (including membership authorization for strike action and membership voting on contract ratification), and the financing of the bargaining process itself. The division's recommendation shall address whether there is a need for the delegation of bargaining authority to the International Union or to a national or regional bargaining committee, appointed by the International President. The affected locals shall pay for the expenses of their participation after their input into the elements of such financing.

(g). The International President shall be empowered to employ necessary staff and retain counsel, accountants and other professional personnel as he or she may require to assist in the duties of the office and to fix their compensation.

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*Presiding officer*

*Appointment of committees, boards*

*Deciding vote*

*General responsibility*

*General authority*

*Organizing authority*

*Authority for collective bargaining*

*Coordinated bargaining process*

*Authority to employ staff*

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*Authority to set salaries*

He or she shall be empowered to fix the compensation of the International Executive Vice Presidents, International Vice Presidents and International Executive Board Members, provided, however, that all Vice Presidents shall receive equal salaries and all Executive Board Members shall receive equal salaries. Notwithstanding the above, with respect to the office of International Vice President and International Executive Board member, the International Executive Board shall implement a policy to phase out salary entitlements by no later than the 2008 Convention, and is authorized to adopt an alternative compensation policy that recognizes any financial hardship on locals by this change in policy, as well as additional responsibilities that may be assigned to particular individuals.

*Authority on questions of law*

(b). The International President shall have authority to interpret this Constitution and Bylaws and to decide on all points of law submitted to him or her by Local Unions or the membership thereof, or by affiliated bodies, subject to appeal to the International Executive Board, and the next Convention.

*Rights of petition to president*

Section 2. Any member or officer of a Local Union aggrieved by any action of his or her Local Union or affiliated body not covered by the provisions of Article XVII of this Constitution (including determinations of election process) may petition the International President within 15 days after the act complained of, or may petition the International Executive Board, within 15 days after the action of the International President thereon, to review the action of the Local Union or affiliated body. The President will endeavor to have a hearing held within 30 days of the petition or protest, if the President deems a hearing to be necessary, and shall attempt to render his or her decision within 30 days thereafter.

*Right of appeal*

Section 3. The International President shall, by virtue of his or her office, represent the International Union at the Conventions of labor organizations with which this International Union is affiliated and shall appoint all other delegates to such Conventions.

*Charters, audits, and vouchers*

Section 4. The International President shall sign all charters and other official documents of this International Union; shall have the authority to direct an examination of the books and records of any Local Union or affiliated body; and shall draw vouchers on the International Secretary-Treasurer for such sums of money as his or her activities require, and the same shall be paid by the International Secretary-Treasurer.

*Appointment of assistants*

Section 5. The International President shall have power to appoint upon recommendation of the International Secretary-Treasurer such office assistants as may from time to time be required.

*Monitoring finances*

Section 6. All vouchers of the International Union shall be submitted to the International President for approval. The International President may at any time appoint a member of the Board of Auditors or such other representative or accountant as he or she may designate to examine into any matter affecting the finances of the International Union.

*Investigation of finances*

*Unusual compensation provided*

further the purposes of or benefits the membership of such Local Union or affiliated body. Gross compensation shall be defined so as to preclude the award of credits for what the Trustees may consider special or unusual compensation (as, for example, payment for attending meetings or participating in picket duty), including but not limited to part or all of any compensation as may be received from a second or additional employer. In the event that applicable law requires employee participation and/or the granting of pension credits for employment which would otherwise be precluded by the foregoing, then, in such event, the Trustees shall endeavor to limit such participation and granting of service credit in accordance with the foregoing to the extent permitted by law. On or after January 1, 1994, the Trustees shall be empowered to adjust the \$4,000 and/or the six-month contribution requirements, should the Trustees determine that said change(s) would be actuarially sound.

(b) Employees of related organizations may be eligible for participation in the Pension Fund subject to such Rules and Regulations as the Board of Trustees may adopt.

Section 6. The Board of Trustees shall have the following powers, in addition to those which may be granted to them by the Trust Agreement:

(a) To employ the services of any actuary, legal counsel and other professional advisers as they deem necessary to assist them with the formulation of the Pension Plan or Plans, the determination and monitoring of the contribution rate to support the Plan on a sound actuarial basis and maintenance of the Pension Fund, and to pay for such services from the Pension Fund.

(b) To require the Secretary-Treasurer of any Local Union or affiliated body to furnish to them such records as they may deem necessary for the proper administration of the Pension Fund.

(c) To make all necessary amendments to the Pension Plan or Plans as may be required to render the Pension Trust Fund qualified and tax exempt under applicable provisions of the Internal Revenue Code and the Income Tax Act (Canada) or which may be deemed by them to be necessary to conform the Pension Plan or Plans and Trust Fund to all other applicable laws.

(d) To provide exceptions from coverage in the case of officers or employees who are entitled to be covered under an employee pension benefit plan maintained by a public employer or public utility, under such uniform and nondiscriminatory rules as the Board of Trustees may establish, for the purpose of preventing duplication of pension coverage or benefits for such persons, if such exceptions do not conflict with applicable law or adversely affect the tax exempt status of the Pension Plan or Trust.

(e) To increase or decrease the payments required by Section 8 of Article XX as permitted by law.

(f) To take all such steps as they deem necessary to effectuate

*Authority of pension trustees*  
*Employment of advisers*

*Access to records*  
*Amendments to pension plans*

*Exceptions from coverage*

*Increasing payments*

*General authority*

the International Executive Board and the Trustees shall continue to be maintained in accordance with the terms of said Trust Agreement. The SEIU Affiliates' Officers and Employees Pension Fund shall be divided into two distinct sections, the United States Section and the Canadian Section.

*Pension sponsor*  
Section 2. The International Union shall be the "Plan Sponsor," as that term is defined in the Employee Retirement Income Security Act of 1974.

*Executive board authority*  
Section 3. The International Executive Board shall have the power to:

(a) Designate the number and appoint all of the individual Trustees of the Pension Fund; and to remove any such Trustee and to fill any vacancy as may exist from time to time; provided, however, that at least two Trustees shall be officers or employees of Local Unions and at least two Trustees shall be members of the International Executive Board; and provided further that there shall be no less than the number of Canadian Trustees required by Canadian law.

*Agreements, amendments*  
(b) On behalf of the International Union, enter into agreements with the Trustees to amend the Trust Agreement in such manner as it may deem necessary or desirable.

*Waiver*  
(c) Upon recommendation of the Trustees of the Pension Fund, waive participation in, or payments in whole or in part to, the Pension Fund by any Local Union, or affiliated body, upon a finding that contributions are not advisable or are not necessary or required, and upon such terms as the International Executive Board may require, including directing that participating Local Unions remit the amount waived directly to the International for such purposes as the Board deems appropriate and

*Waivers upon merger or affiliation*  
(d) Waive, in whole or in part, or increase the payments required by Section 8 of this Article XX, upon the merger or affiliation of any labor organization or Local Union with the International Union or any of its Local Unions, upon a finding that such action is necessary or required.

*Pension fiduciaries*  
Section 4. The Trustees of the Pension Fund shall be the "Named Fiduciaries" as that term is defined in the Employee Retirement Income Security Act of 1974.

*Pension participation requirements*  
Section 5. The Trustees shall be and the same are hereby empowered to adopt a Pension Plan or Plans and Rules and Regulations for the administration thereof which they deem appropriate, provided, however, that such Plan or Plans and Rules and Regulations shall, to the extent permitted by applicable law, provide that:

*Coverage*  
(a) Only officers, full-time permanent employees who have gross compensation at an annual rate of \$4,000 and part-time and temporary employees who work more than six months in any twelve-month period and who have gross annual compensation of \$4,000 or more in that period shall be eligible for coverage. Gross compensation shall include only the regular salary paid by a Local Union, or affiliated body, or if accepted for participation by the Trustees, any organization related to a Local Union or affiliated body which

Section 7(a). Whenever the International President has reason to believe that, in order to protect the interests of the membership, it is necessary to appoint a Trustee for the purpose of correcting corruption or financial malpractice, assuring the performance of collective bargaining agreements or other duties of a bargaining representative, restoring democratic procedures, or otherwise carrying out the legitimate objects of this International Union, he or she may appoint such Trustee to take full charge and control of the affairs of a Local Union or of an affiliated body and such appointment shall have the effect of removing the officers of the Local Union or affiliated body.

(b). The Trustee shall be authorized and empowered to take full charge of the affairs of the Local Union or affiliated body and its related benefit funds; to remove any of its employees, agents and/or trustees of any funds selected by the Local Union or affiliated body and appoint such agents, employees or fund trustees during his or her trusteeship, and to take such other action as in his or her judgment is necessary for the preservation of the Local Union or affiliated body and for the protection of the interests of the membership. The Trustee shall report on the affairs/transactions of the Local Union or affiliated body to the International President. The Trustee and all of the acts of the Trustee shall be subject to the supervision and direction of the International President.

*Powers and duties of trustee*

(c). Upon the institution of the trusteeship, all moneys, books and property of the Local Union or affiliated body shall be turned over to the Trustee.

*Responsibility to presidents*  
*Moneys, books, property*

(d). The Trustee shall be bonded for the faithful discharge of his or her duties relating to the handling of funds or other property of the Local Union or affiliated body.

*Bonding required of trustee*  
*Financial responsibilities of trustee*

(e). The Trustee shall take possession of all the funds, books, papers and other property of the Local Union or affiliated body. The Trustee shall pay all outstanding claims, properly proved, if funds are sufficient. When safe government is restored, the Trustee shall return all funds, books, papers and other property to the Local Union or affiliated body. If, however, the Local Union or affiliated body is dissolved by the revocation of its charter, then any balance remaining to the credit of the Local Union or affiliated body shall be forwarded to the International Secretary-Treasurer and shall become the property of the International Union.

*Procedure for imposing trusteeship*

(f). In order to ensure that no trusteeship is imposed without an adequate right to be heard or without other appropriate safeguards, prior to the imposition of a trusteeship the International President shall appoint a hearing officer or officers (who need not be a member or members of this organization), and shall issue a notice, which shall be distributed in a timely fashion, setting a time and place for a hearing, for the purpose of determining whether a Trustee should be appointed. Said hearing officer or officers shall issue a report and recommendations, orally or

*Appointment of hearing officer*

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in writing, to the International President, who shall thereupon make his or her determination; provided that where in the judgment of the International President an emergency situation exists within the Local Union or affiliated body, a Trustee may be appointed prior to a hearing; provided further that in an emergency situation, the International Executive Board shall appoint a hearing officer or officers (who need not be a member or members of the organization) who shall conduct such a hearing within 30 days after imposition of the trusteeship, and a decision by the International Executive Board shall be made within 60 days after the appointment of such Trustees, which decision shall be final and binding. These time limits may be extended by the International President for good cause. Pending the International Executive Board's decision, the trusteeship shall remain in full force and effect.

*President's personal representative*  
 (g) The International President may appoint a representative to meet with the officials of Local Unions or affiliated bodies and to attend any meetings of Local Unions or affiliated bodies where in the judgment of the International President there is a need to assist the Local Unions or affiliated bodies with respect to their internal needs. The International President may appoint a hearing officer to examine the internal needs of the Local Union or affiliated body and to assist him/her in determining what remedial action(s), if any, should be implemented by the Local Union or affiliated body. At any time, the International President also may designate his/her representative as a Monitor with additional oversight responsibility to review compliance with the International President's recommendations and/or otherwise assist in addressing the internal needs of the Local Union or affiliated body. Among the internal needs to be considered is whether a Local Union or affiliated body has met applicable standards endorsed by the International Convention or satisfied such procedures, rules and/or regulations duly adopted by the International Executive Board to carry out the goals set by the International Convention.

*Compliance with applicable standards*  
 Section 8. The International President shall have power to call upon any and all officers for assistance and advice when the occasion demands or requires it.

*President's authority to call for assistance*  
 Section 9. The International President shall make a full report to each International Convention, and at Executive Board meetings.

*President's duty to report*

Article IX  
**DUTIES OF THE INTERNATIONAL SECRETARY-TREASURER**

*Proceedings of convention, executive board*  
 Section 1. The International Secretary-Treasurer shall keep a correct record of all the proceedings of the International Convention and of the International Executive Board.

*Safeguarding the moneys*  
 Section 2. The International Secretary-Treasurer shall receive and collect all moneys due to the International Union, which shall be deposited in such banks as may be designated by the International Executive Board.

Section 5. The bylaws of the Regional Conferences and Joint and State Councils shall provide that all officers of a Local Union elected in conformity with all applicable statutes shall by virtue of such election be considered to be eligible delegates to any Convention of such body which may take place during their term of office. If under the rules of the particular intermediate body a Local Union is entitled to additional delegates at said Convention, then arrangements may be made at the option of the Local Union Executive Board for nomination and secret ballot election, if required, of an additional number of Convention delegates. The Local Union must designate in its own bylaws the order in which the officers would be designated as delegates if fewer than all the officers are entitled to go to the Convention as delegates, provided that the chief executive officer of the Local Union shall, if otherwise eligible, be deemed entitled even in the event the Local Union fails to so designate. Any Local Union may by provision in its Local Constitution and Bylaws dispense with the foregoing provision that officers of the Local Union be ex officio delegates to the Convention of such intermediate bodies and may provide for nomination and, if required, secret ballot election of such delegates.

Section 6. No officer of an intermediate body may receive compensation of any kind from the intermediate body, except for a minimal stipend or expenses as appropriate. This limitation shall not apply to intermediate bodies in Canada.

Article XIX  
**PAYMENTS IN CONNECTION WITH DEATHS OF MEMBERS**

For members of any Local Union who were in good standing in connection with this Article XIX on September 1, 1984, the Service Employees International Union Death Gratuity Program, as amended effective September 1, 1984, shall be maintained in effect for those members who meet the eligibility and participation requirements set forth in such amended Program. When the International Executive Board in its discretion determines that it is necessary or advisable to abolish, curtail or limit any payments provided for in the Program or to amend or modify any provisions governing such payments, it shall have authority to do so. The International Union shall notify each Local Union 60 days before the effective date of any changes in the provisions of the Program.

Article XX  
**PENSION FUND FOR OFFICERS AND EMPLOYEES OF LOCAL UNIONS AND AFFILIATED BODIES**

Section 1. The Pension Fund known as the "SEIU Affiliates Officers and Employees Pension Fund," heretofore established pursuant to mandate of this Constitution and existing by virtue of a Trust Agreement entered into between

*Eligibility of local officers as delegates*

*Additional delegates*

*Restrictions on compensation*

*Death gratuities*

*Maintenance of pension fund*

Article XXVIII  
AFFILIATIONS WITH INTERMEDIATE BODIES

*Obligation to affiliate*  
Section 1. Local Unions shall affiliate with local, regional, national or international bodies, whose such bodies, under rules to be established by the International Executive Board. The International President may in his or her discretion waive this requirement for individual Locals for good cause.

*Establishment of intermediate bodies*  
Section 2. The International Executive Board shall from time to time establish intermediate bodies including, but not limited to State and Provincial Councils, and Canadian Regional Conferences as well as other bodies, when in its judgment such bodies are necessary to further the aims of the International Union and the interests of Local Unions. The International Executive Board shall establish the jurisdiction of such bodies, and shall issue rules prescribing the activities and financing of such bodies. For administrative purposes of collection and distribution, the International Executive Board may require Local Unions to forward to the International Union per capita tax payments or other financial obligations owed by the Local Union to affiliated bodies or entities. Upon receipt, the International Union shall forward such payments to the applicable affiliated body or entity.

*Local affiliation and per capita requirements*  
Section 3. All Local Unions determined by the International Union to be within the jurisdiction of any intermediate body shall affiliate with such bodies and comply with their bylaws, including provisions in such bylaws requiring the payment of per capita taxes to the intermediate body, together with interest on late payment if so authorized by the intermediate body. The International Executive Board may in its discretion modify these requirements. Any proposal to set or change an intermediate body's per capita tax obligation or assessment shall be submitted to the International President for his/her approval prior to its submission for approval by the intermediate body. In the case of State Councils, a Local Union shall affiliate with each State Council having jurisdiction over the primary worksite(s) of its members, and shall pay each such State Council per capita tax on those members whose primary worksite is within that State Council's jurisdiction.

*Conformance to international constitution*  
Section 4. The bylaws of such intermediate bodies shall not conflict with the Constitution and Bylaws of the International Union. Such bylaws shall provide that the number of votes a Local has in such bodies shall be proportionate to its numerical strength as determined by the payment of per capita tax, excluding associate members, life members and agency fee payers to the intermediate body. This requirement may be waived by the International President, subject to his/her approval of an alternative voting procedure. Such bylaws and any amendments must be submitted to and approved by the International President before becoming valid. Notwithstanding such approval, each intermediate body shall resubmit its bylaws to the International President for consideration and approval within 120 days following the conclusion of each regular International Convention.

Section 3. The International Secretary-Treasurer shall conduct all official correspondence, receive all applications for charters, countersign and issue charters as may be granted, and have charge of the official seal.

Section 4. The International Secretary-Treasurer shall draw and sign or authorize the signing of all checks covering expenditures of the International Union, upon the co-signature or approval of the International President.

Section 5. The International Secretary-Treasurer shall maintain records of the membership of the International Union and shall report to the International President and the International Executive Board as required.

Section 6. The International Secretary-Treasurer shall make a full report of all matters relating to his or her office to each International Convention.

Section 7. The International Secretary-Treasurer shall, at the end of his or her term of office, turn over to his or her successor in office all books, moneys, property and other belongings of the International Union.

Section 8. The books and records of the International Secretary-Treasurer shall be open for inspection by the officers of the International Union.

Section 9. The International Secretary-Treasurer shall keep all records pertaining to income, disbursements, and financial transactions of any kind for a period of at least six years, or longer if required by applicable law.

Article X  
DUTIES OF THE EXECUTIVE VICE PRESIDENTS

Section 1. The International Executive Vice Presidents shall work under the supervision of the International President.

Section 2. The International Executive Vice Presidents shall perform such duties as are assigned to him or her by the International President.

Article XI  
DUTIES OF THE INTERNATIONAL EXECUTIVE BOARD

Section 1. The International Executive Board shall hold sessions at least two times within each year. The meetings of the International Executive Board shall be upon the call of the International President at times and places which, in his or her judgment, best serve the needs of the International Union. Whenever a majority of the International Executive Board requests the International President to call a meeting thereof, it shall be mandatory upon him or her to do so. All necessary expenses for such meetings shall be paid by the International Union. The International Executive Board

SEIU 2004 17  
*Charters, official seal*

*Expenditures*

*Membership records*

*Convention reports*

*Obligation to successor*

*Obligation to open books*

*Maintenance of union records*

*Supervision by presidents*

*Duties assigned by presidents*

*Meeting requirement*

*Majority may initiate meeting*

*Quorum*

shall have power to transact all business of the International Union between Conventions. A majority of the members of the International Executive Board shall constitute a quorum for the transaction of its business.

*Notification to local unions*

Section 2. The International Secretary-Treasurer shall notify all Local Unions and affiliated bodies of the time and place of International Executive Board meetings. Any Local Union or affiliated body may present any grievance or matter which it deems to be for the welfare of the International Union or any of its Local Unions or affiliated bodies at any meeting of the International Executive Board.

*Right to present grievances*

Section 3. The International Executive Board shall act upon and decide all appeals presented to it by Local Unions or individual members or by affiliated bodies.

*Bonding provisions*

Section 4. The International Executive Board shall provide for the bonding of officers and employees of the International Union in accordance with the requirements of applicable statutes or as the International Executive Board shall deem necessary.

*Polling by international presidents*

Section 5. When the International Executive Board is not in meeting and the International President deems it necessary for the International Executive Board to act promptly, the International Secretary-Treasurer shall poll the International Executive Board and such action and vote may be taken by letter, telegram, teletype, facsimile, telephone or any other appropriate means of communication. Such action so taken on vote of the majority of the International Executive Board shall constitute official action of the International Executive Board.

*Executive board is highest authority*

Section 6. The International Executive Board shall, subject to action of an International Convention, be the final authority and the highest governing body of this International Union.

*Duties and responsibilities*

The Board is hereby authorized and empowered to take any and all lawful action not inconsistent with this Constitution to safeguard and protect this International Union, the rights, duties and privileges of the officers and members of this International Union and its Local Unions or any of its affiliated bodies; to guide, manage, conduct and direct the activities, affairs, and functions of this International Union and to, in every way, including but not limited to expenditure, investment, and management, utilize the property and funds of this International Union towards the fulfillment of the purposes and objects of this organization. In addition to the general and specific powers conferred upon the Board elsewhere in this Constitution, and in addition to any lawful powers appertaining thereto, the Board is specifically authorized to:

- A. Establish, adopt, prescribe and order such procedures, rules and regulations, consistent with this Constitution, as are required for the direction and management of the affairs of this International Union and its constituent subordinate bodies and to repeal or amend the same;
- B. Delegate, consistent with this Constitution, to any of

*Hearing or trial appeals*

*Manner of filing appeals*

*Determination of appeals*

Section 6. An appeal to the International Executive Board may be taken by either the accused or the member filing the charges from any decision of a Local Union with respect to such charges, provided such decision is a final decision under the terms of the Constitution and Bylaws of the Local Union; or from a decision of the International President. Any such appeal shall be filed in writing with the International Secretary-Treasurer, by registered or certified mail, within 15 days after the decision. No specific form or formality shall be required, except that such appeal shall clearly set forth the decision being appealed and the grounds for the appeal. During the pendency of any appeal, the decision appealed from shall remain in full force, unless it is stayed by the International Executive Board. The International Executive Board may decide the appeal on the record made by the trial body or may in its discretion, upon at least 10 days notice, hear argument or hold a rehearing either itself or before a hearing officer or officers designated by it. The International Executive Board may affirm, reverse or modify the decision appealed from.

*Appeals to convention*

Section 7. Appeals from any decision of the International Executive Board with respect to charges may be taken to the next Convention. Any such appeal shall be filed in the same manner and within the same time as appeals to the International Executive Board. During the pendency of such appeal, the decision appealed from shall remain in full force. The appellant shall have the right to appeal before an appeals committee of the Convention and, if the appellant is a Local Union or a member appealing an expulsion from membership, shall have the right to appear before the Convention itself under such conditions and for the period of time fixed by the Convention. An individual appellant, other than one appealing an expulsion from membership, shall have the right to appear before the Convention itself only with the consent of the Convention. The action of the Convention on all appeals shall be final and binding.

*Obligation to exhaust remedies*

Section 8. Subject to the provisions of applicable statutes, every Local Union or member or officer thereof or officer of the International Union against whom charges have been preferred and disciplinary action taken as a result thereof or who claims to be aggrieved as a result of adverse rulings or decisions rendered, agrees, as a condition of membership or affiliation and the continuation of membership or affiliation, to exhaust all remedies provided for in the Constitution and Bylaws of the International Union and the Local Union and further agrees not to file or prosecute any action in any court, tribunal or other agency until those remedies have been exhausted.

*Member bill of rights and responsibilities*

Section 9. The SEU Member Bill of Rights and Responsibilities in the Union shall be enforced exclusively through the procedures provided in this Article and any decision rendered pursuant to the procedures provided for herein, including any appeals, shall be final and binding on all parties and not subject to judicial review.

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against an officer of a Local Union involve a situation which may seriously jeopardize the interests of the Local Union or the International Union, the International President may suspend such officer from office in the Local Union until a decision has been reached.

*Basis for original jurisdiction*

(f). The International President may assume original jurisdiction:

i. If the Local Union, the Local Union Executive Board, a Local Union officer or a Local Union member, or member, believe that the charges filed against a member or officer of a Local Union involve a situation which may seriously jeopardize the interests of the Local Union or the International Union or that the hearing procedure of the Local Union will not completely protect the interests of a member, officer or Local Union and such party requests that the International President assume original jurisdiction.

*Procedures for original jurisdiction*

ii. If the International President as a result of an investigation believes that the charges filed against a member or officer involve a situation which may seriously jeopardize the interests of the Local Union or the International Union.

Upon the International President assuming original jurisdiction, the International President may remove the proceedings from the trial body of the Local Union and, upon at least 10 days notice, hold a hearing on the charges either personally or before a hearing officer or officers (who need not be a member or members of this organization) designated by the International President. The International President shall make the decision upon the record taken at the hearing and the report of the hearing officer or officers.

*Notice of charges*

Section 3. Charges against a Local Union or an officer of the International Union shall be filed in duplicate with the International Secretary-Treasurer, who shall serve a copy thereof upon the accused either personally or by registered or certified mail, directed to the last known address of the accused, at least 10 days before the hearing upon the charges. The International Executive Board may hold a hearing on the charges either itself or before a hearing officer or officers designated by it or it may determine to dismiss the charges without the need for a hearing to be conducted. If the hearing is conducted by a hearing officer or officers, the International Executive Board shall make its decision upon the record taken at the hearing and the report of the hearing officer or officers.

*Execution of board hearings*

Section 4. In all hearings or trials provided for herein, if the member filing charges is a member of the trial body, he or she may appear and be heard in support of the charges, but shall be ineligible to participate in the consideration of or the decision on such charges. If the accused is unable or unwilling to be present at any hearing provided for herein, a defense may be presented in writing. In default of appearance or defense, the trial body shall proceed with the hearing regardless of the absence of the accused.

*Conduct of hearings or trials*

Section 5. The trial body, after requisite due process has been afforded, may impose such penalty as it deems appropriate and as the case requires.

*Possibility of sanctions*

Section 5. The trial body, after requisite due process has been afforded, may impose such penalty as it deems appropriate and as the case requires.

set officers or agents any of the functions and powers herein set forth, except the power to fill vacancies in office;

*Salaries and terms*

C. Establish and/or approve the payment of salaries, wages, expenses, allowances, and disbursements for its officers, agents and employees; and adopt, maintain or amend any pension or health and welfare trust agreement or plan which it deems to be in the interest of the officers and employees of the International Union or its Local Unions or other affiliated bodies or employees represented by the International Union or any of its Local Unions or other affiliated bodies and the families of said officers and employees, provided that no accrued rights of a participant shall be impaired;

*Authority to take legal action*

D. Take such legal action as it deems necessary to protect the interests of this International Union, its officers, representatives, agents, employees, members, or constituent Local Unions or its affiliated bodies, including the initiation, prosecution, and defense of lawsuits and arbitrations, the settlement or compromising of any claim whether defended or prosecuted, and the payment of expenses and costs of all such proceedings and actions; or abstain from enforcing any claim;

*Investment of funds*

E. Invest or reinvest the funds of this International Union in such property, real or personal, tangible or intangible, as it shall consider desirable for the effectuation of the purposes and objects of this International Union and the interest of its members, or permit such funds to remain uninvested;

*Acquisition of property*

F. Lease, buy, and in every lawful manner acquire, on behalf of this International Union, all property, rights, and privileges, as it shall think desirable for the effectuation of the purposes and objects of this International Union and the interests of its members, at such prices, terms and conditions as this Board shall, in its discretion, determine;

*Disposal of property*

G. Sell, lease, rent, mortgage, pledge, exchange, or otherwise dispose of any property, real or personal, tangible or intangible, and any rights or privileges appertaining or belonging to or in the possession of this International Union or its membership, whenever in its discretion the Board considers that the purposes and objects of this International Union and the interests of its members will be thereby effectuated for such prices and upon such terms and conditions or for such consideration as the Board in its discretion determines;

*Authority to borrow*

H. Obtain loans from any banks, firms, corporations or institutions, upon such terms and conditions as the Board shall determine, and for the sums so borrowed, issue its promissory notes or other evidence of indebtedness;

*Mortgages and trusts*

I. Enter into, issue and create, effectuate and terminate such mortgages, deeds, trust agreements, and negotiable instruments, however secured, as the Board in its discretion believes will effectuate the objects and purposes of this International Union and the interests of its members;

*Affiliations*

J. Affiliate this International Union or otherwise enter into or discontinue a relationship with such organizations and bodies, local, national and international, as the Board believes will effectuate the objects and purposes of this International Union and the interests of its members;

*Terms of affiliation*

K. Affiliate to this International Union by merger, partnership, alliance consolidation, charter or otherwise any existing labor organization or other organization as the Board may approve and in connection therewith may grant to such organization until the next International Convention such executive positions and/or representation on the International Executive Board in the form of additional Vice Presidents and Executive Board Members in excess of the total number provided in Article VI, Section 1. The terms and conditions of such relationships, including affiliations, partnerships, alliances mergers, or consolidations may include waiver of other provisions of this Constitution for such periods of time as shall be set forth in the agreement.

*Authority to waive constitutional provisions*

*Jurisdictional questions and agreements*

L. Decide questions of jurisdiction relating to Local Unions and other bodies affiliated to the International Union, and conclude organizational and jurisdictional agreements with other organizations;

*Authority to lend*

M. Make such loans, either direct or indirect, whether to individuals or organizations, as are lawful and not inconsistent with this Constitution, with such security and with such arrangement for repayment as the Board may deem appropriate, and as the Board considers will effectuate the purposes and objects of this International Union and the interests of its members;

*Agency and other fee procedures*

N. Establish, adopt and order such procedures as it deems necessary for the International Union, Local Unions, and affiliated bodies pertaining to agency shop fees, fair share fees and similar fees, and repeal or amend the same; and

*New arrangements to expand outreach*

O. In order to build strength for working women and men in the 21<sup>st</sup> century, the International Executive Board is authorized to enter into new types of arrangements including, but not limited to, partnerships, affiliations and/or alliances on a national or global scale, for expanding the Union's outreach to, and involvement with, organizations and people with common goals. Accordingly, the authority set forth in this Article should be broadly interpreted to carry out the intent and purpose of this mission as well as to take advantage of new opportunities available through advances in technology and the internet. In entering such arrangements, the International Executive Board may grant such waivers from the provisions of the Constitution until the next Convention as will advance this objective.

*Constitutional authority*

The International Executive Board shall be the final authority in fulfilling, interpreting and enforcing this Constitution, subject to review by an International Convention.

*Protection from liability*

The opinion of any attorney, accountant, or other professional consultant or expert hired pursuant to this Constitution shall be full and complete authority and protection with respect to any action taken, suffered or omitted by this Board or any member thereof in good faith and in accordance with such opinion. The International Executive Board, or any member of it, shall not be liable to any person or organization, for any act, which is not willful misconduct or in bad faith, done by this Board or said member in effectuation of the purposes and objects of this Constitution and the interests of the members of this organization.

(7) Advocating or engaging in dual unionism or secession;

(8) Violation of democratically and lawfully established rules, regulations, policies or practices of the International Union or of the Local Union.

(9) The wrongful taking or retaining of any money, books, papers or any other property belonging to the International Union or Local Union, or the wrongful destruction, mutilation or seizure of any books, records, bills, receipts, vouchers, or other property of the International Union or the Local Union;

(10) Working as a strikebreaker or violating wage or work standards established by the International Union or a Local Union; and

(11) The bringing of false charges against a member or officer without good faith or with malicious intent.

Charges must be specific and in writing.

Section 21(a). Charges against any member or officer of a Local Union shall be filed in duplicate with the Secretary of the Local Union, who shall serve a copy thereof on the accused either personally or by registered or certified mail, directed to the last known address of the accused, at least 10 days before the hearing upon the charges. The charges must specify the events or acts which the charging party believes constitute a basis for charges and must state which subsection(s) of Section 1 of this Article the charging party believes has been violated. If the charges are not specific, the trial body may dismiss the charges either before or at the hearing, but the charging party shall have the right to file more detailed charges which comply with this Section. No charges may be filed more than six months after the charging party learned, or could have reasonably learned, of the act or acts which are the bases of the charges.

(b). The Executive Board of the Local Union shall act as or appoint the trial body, unless the Constitution and Bylaws of the Local Union provide for another trial procedure. The accused may appear in person and with witnesses to answer the charges against him or her and shall be afforded a full and fair hearing. The accused may select a member of his or her Local Union, or an attorney if the Constitution and Bylaws of the Local Union so permit, to represent the accused in the presentation of a defense.

(c). If the charges, or any portion thereof, are sustained, then the trial body shall render judgment and impose disciplinary action as provided for in this Constitution. If the charges are not sustained, the same shall be dismissed and the accused restored to full rights of membership or office in the Local Union.

(d). If the Constitution and Bylaws of the Local Union so provides, the decision of the trial body shall be reported to the next regular membership meeting of the Local Union for such action as is provided for in the Constitution and Bylaws of the Local Union.

(e). If the International President believes that charges filed

*Filing charges*

*Specify requirements*

*Trial procedure*

*Judgment and discipline*

*Reporting trial results*

*Suspension*

can be comprised of local union funds, voluntary member contributions to C.O.P.E. or a designated organization approved by the International President of a combination thereof. A goal of every local union shall be to enroll and maintain at least 20 percent of its members as voluntary participants in an employer check-off or regular deduction program assigned to SEIU C.O.P.E. or to an organization approved by the International President. All contributions to SEIU C.O.P.E. collected by local unions shall be sent to SEIU C.O.P.E. Any contributions in excess of \$3,60 per member per year or such other amount as determined by the International Executive Board shall be returned to the local union for its political program.

Article XVI  
MEMBERS' INTERESTS, TRANSFERS

*Members' interests safeguarded*

Section 1. No member of this International Union shall injure the interests of another member by undermining such member in connection with wages or financial status or by any other act, direct or indirect, which would wrongfully jeopardize a member's office or standing.

*Transfers from local union to local union*

Section 2. Any member may transfer from one Local Union to another within this International Union, subject to the approval of the Local Union into which such member seeks admission, provided there shall be no interruption of continuous payment of monthly dues if continuous good standing is to be maintained or upon presentation of a current withdrawal card.

Article XVII  
TRIALS AND APPEALS

*Preamble*

PREAMBLE. In order to ensure members' protection from the filing of frivolous charges, the following procedures shall apply:

*Dates of charges for hearings or trials*

Section 1. Local Unions, their officers or members, and officers of any affiliated body, and officers of the International Union, as the case may be, may be charged with: (Whenever used in this Article, the term "Local Union" shall include any affiliated body or Local Union chartered by this International Union.)

- (1) Violation of any specific provision of this Constitution or of the Constitution and Bylaws of the Local Union;
- (2) Violation of an oath of office;
- (3) Gross disloyalty or conduct unbecoming a member;
- (4) If an officer, gross inefficiency which might hinder and impair the interests of the International Union or the Local Union;
- (5) Financial malpractice;
- (6) Engaging in corrupt or unethical practices or racketeering.

Article XII  
STRIKES AND LOCKOUTS

No Local Union or affiliated body shall strike without previous notification to the International President, or, where prior notice is not practicable, without notification as soon as possible after commencement of the strike, in which notice the Local Union or affiliated body has stated that it has complied with all applicable notice requirements. If the Local Union or the affiliated body fails to give such notice, the International President may withhold sanction for the strike called by the Local Union or affiliated body. Based on the recommendation of the industry divisions of the International Union, the International Executive Board may limit this strike notification to fewer situations.

Article XIII  
REVENUE

Section 1(a). The revenue of this International Union shall be derived from per capita tax, initiation fees, charter fees, assessments or from any other source that the International Executive Board may determine.

The per capita tax from Local Unions shall continue to be \$7.50 per member per month on all dues required to be paid through the month of December 2004. On dues required to be in the month of January 2005, and thereafter, per capita tax due the International Union from the Local Unions shall be \$7.65.

For a retired member, associate member, or organizing committee member paying less than the full dues required for working members of his or her Local Union, the per capita shall be \$1.00 per month.

The International Union shall not set aside any segregated funds from per capita tax payments received from Local Unions on behalf of retired, associate or organizing committee members.

Upon the recommendation of the International President, the International Executive Board shall have the authority to adjust the per capita tax required from Local Unions for nonworking members, including retired members and associate members; provided, however, that notwithstanding the provisions of Article XV, Life Members granted such status pursuant to this Constitution on or before May 1, 2000, shall have no continuing dues obligations, but they shall nonetheless be eligible to enjoy all the benefits and privileges of retired members in the International Union, including continued participation in the International Union's Death Gravitry Program if otherwise eligible.

(b) An amount of money which shall be determined annually by the International Executive Board shall be set aside from the per capita tax and shall be expended by the International Union directly or indirectly for political education and political action purposes, but solely in accordance with the provisions of applicable law.

*Strike notification requirement*

*Per capita tax*

*Special membership categories*

*Authority to adjust tax*

*Political fund*

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*Strike and defense fund*

(c) The International Union shall set aside out of the per capita tax, the sum of 40 cents per member per month on all monthly dues received by the Local Union as a Strike and Defense Fund to aid Local Unions engaged in authorized strikes, in defending against lockouts, and in defending the integrity and welfare of the Local Union, as defined under criteria established by the International Secretary-Treasurer, and shall credit each Local Union with the amount which such Local Union has paid into the Strike and Defense Fund.

Such moneys shall not be set aside out of per capita tax payments received from Local Unions on behalf of retired, associates, or organizing committee members.

*Withdrawals from strike and defense fund*

*Discretionary refunds*

Subject to the criteria established by the International Secretary-Treasurer, a Local Union may after no less than one year of contributions draw on the Strike and Defense Fund, or from such other funds of the International Union as shall be determined by the International Executive Board, to the extent of the total unexpended funds remaining to its credit, plus an additional sum equal to the amount set aside out of its required payments in the preceding 12 months. Once such an additional payment has been drawn by the Local Union, no further payment shall be made to the Local Union pursuant to this Section until an amount equal to such additional payment, plus payment for one additional year, has been again paid into the credit of such Local Union. Interest and income credited to the Strike and Defense Fund shall be used in support of strikes conducted for organizational purposes or for other defense purposes. In addition to the foregoing provisions, the International President shall in his or her discretion be authorized to return to such Local Union all or part of its Strike and Defense contributions to be used for such defense purposes or other purposes as he or she may determine. Any refund or return to a Local Union under the terms of this paragraph shall be made only once a year, after the end of such year, upon the prior request of the Local Union. The International Executive Board is authorized to direct that a Local Union's contributions to the Strike and Defense Fund be used to satisfy the Local Union's outstanding financial liability to the International Union on pursuant to a decision of the International Executive Board after appropriate proceedings, to another affiliated body or Local Union if such liability is at least 90 days past due. In such circumstances the Local Union will receive 15 days notice before such action is initiated.

*Unity Fund (except Canada)*

Questions concerning the application or interpretation of this subsection shall be resolved by decision of the International Secretary-Treasurer, subject to appeal to the International Executive Board.

(d) In addition to the per capita tax set forth in Section 1(a), each Local Union, except those based in Canada, shall pay to the International Union a per capita tax to finance the Unity Fund. Through the Unity Fund, all local unions will pool resources in order to have the new strength to win improved pay, benefits and security for members in the 21st century. This additional per capita tax per member per month shall be as follows:

nations collected in the name of this International Union, or Local Union, or affiliated body, shall at all times be subject to audit by this International Union, and all books, records and documents pertaining to matters covered by this Section shall be available for inspection, copying and audit by this International Union.

The International President shall have authority to formulate such rules and regulations as he or she deems necessary and proper to carry out the purpose of this Section.

Section 14. The Executive Board of each Local Union shall appoint such committees as it deems necessary to carry out the organizing, political action, social and economic justice and retire programs and policies of this International Union. Where a committee(s) is not appointed for a specific purpose, the Local Union Executive Board shall serve in that capacity.

Section 15. No Local Union shall establish its own registered federal political committee or any political candidates fund for contributions in connection with federal elections, provided, however, that the International President may in his or her discretion waive this provision or establish such conditions as the International President may deem necessary.

Section 16(a). Every Local Union shall continue to implement an annual local union organizing budget equivalent to 20 percent of the local's budget (after payment of all per capita tax obligations), to be spent consistent with the principles of the applicable industry division of the International Union. Each industry division shall submit its principles and the procedures for their enforcement for approval by the International Executive Board no later than January 2005.

(b) In the event that the applicable industry division of the International Union believes that a local union has failed, without good cause, to implement this 20 percent organizing budget commitment or to spend the local union's organizing budget consistent with the principles of the industry division, it may refer the matter to the International President who may designate the matter for hearing before a hearing officer appointed by the International Executive Board. Based on the hearing officer's report, the International Executive Board may order the Local Union to pay all or a portion of its next year's annual organizing budget to an organizing campaign(s) identified in the national organizing plan for that particular division.

Section 17. Industry Divisions of the International Union may establish additional local union performance standards, subject to their approval by the International Executive Board.

Section 18. Every U.S. Local Union shall contribute an annual amount equivalent to at least \$7.20 per member per year to support the overall SEIU political education and action program, to be allocated between the International, state councils and local unions as determined by the International Executive Board on an annual basis. This amount

*Authority to prescribe rule*

*Social Committee*

*PAC*

*New Strength Unity Mandate*

*Performance Standards*

*Political Action*

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crease for a period of up to four months past this date with our requesting a waiver from the International Union.

Beginning September 1, 2005, all dues in Canadian Local Unions may be increased by an amount to be set by the International Executive Board based on the recommendation of the Canadian Council.

*Dues payments, good standing*

Section 8. In order to be considered in good standing and to be eligible to participate in all of the gratuities and benefits of the Local Union and the International Union, members must pay on time the full dues and other payments prescribed by the Constitution of the Local Union.

*Dues credits*

Section 9. When a member is laid-off from employment or is absent from work due to employer lockout or union-authorized strike for more than 20 days in any calendar month, such member may be entitled, if so provided in the Local Union's Constitution and Bylaws, to credit for membership dues for the period of unemployment but not to exceed six months in any calendar year.

*Dues receipts*

Section 10. Each member shall be entitled to receive a proper receipt or acknowledgment for any payment of dues.

*Withdrawal cards*

Section 11. Any Local Union may order that withdrawal cards be taken out by members working outside the trade or jurisdiction of the Local Union.

*Notification of collective bargaining agreements*

Section 12. The International Union shall be notified in writing when any collective bargaining negotiations or memoranda of understanding have been concluded and be advised of the number of employees covered and the expiration date of the contract. For the purpose of maintaining a file, and for informational uses, copies of collective bargaining agreements and contracts entered into by a Local Union shall, after signing, be sent to the Research Department of the International Union. Such notification to or filing with the International Union shall not operate to impose any liability on the International Union or its officers or to make them parties to any such collective agreement or memorandum of understanding.

*No notification liability*

*Permission to conduct fund-raising*

Section 13. No Local Union or affiliated body or any subdivision thereof, or member or group of members, including Councils, Conferences, leagues, clubs or any association composed of members of this International Union, or subdivision thereof, shall in any manner, directly or indirectly, use, exploit, or trade upon the name of this International Union, or Local Union or affiliated body of any similar name or designation, nor in the name of this International Union or Local Union, or affiliated body, levy or collect any tax, dues, or other moneys, nor in the name of this International Union or Local Union, or affiliated body, conduct any affair or other activity for the purpose of raising funds, including programs or soliciting advertisements in any publication, either directly or indirectly, without first obtaining written permission from the International President.

*International authority to audits*

All of the aforesaid matters covered by this Section, including without limitation funds, solicitations, gifts, and do-

On dues received by the Local Union in the month of January 2004, and through the month of December 2004—\$4.00.

On dues received by the Local Union in the month of January 2005, and thereafter—\$5.00.

*Low-wage worker*

Notwithstanding the above, this additional per capita tax for the Unity Fund shall not be paid on dues from any member who is paid gross wages of less than \$433 per month. The additional per capita tax for the Unity Fund shall also not be payable on dues from members who have not achieved a first collective bargaining agreement.

*Canadian Unity Fund*

(a) Based on the recommendation of the Canadian Council, the International Executive Board may require each Local Union based in Canada to pay to the International Union a per capita tax in addition to the per capita tax set forth in Section 1(a) to finance a Canadian Unity Fund. Through this Unity Fund, all Canadian local unions will pool resources in order to have the new strength to win improved pay, benefits and security for members in the 21st century. The amount of the additional per capita tax shall be determined by the International Executive Board, based on the recommendation of the Canadian Council.

*Definition*

(f) For the purposes of this section, the term "member" shall include agency fee payer and Rand Formula payer and comparable fee payers, and the term "dues" shall include agency service fees, Rand Formula fees and comparable fees.

*Payment of dues*

Section 2. Dues of members are due and payable on or before the last day of the current month and in order for a member to be in good standing his or her dues must be paid on or before the last day of each month. All other financial obligations of the Local Union must likewise be paid on or before the last day of the month in which they fall due.

*Maintenance of good standing*

*Sanctions for nonpayment*

Section 3. For a Local Union to be considered in good standing, per capita tax and all other fees and payments must be paid by each Local Union to the International Union before the end of the month following the month in which the Local Union received dues or other payments on account of which per capita tax or fees are payable to the International Union. Effective January 1, 1993, if the monthly per capita tax, or any part thereof, is not submitted by the end of the month following that in which it is due, the Local Union shall be deemed delinquent in its payment and shall be charged a late payment fee, at an interest rate to be determined periodically by the International Executive Board, on that portion of the per capita tax which has not been paid by the due date, except that the International President may waive this penalty charge for good cause shown. If a Local Union fails to make the payments herein required within 30 days of the date due, the International Secretary-Treasurer shall notify the Local Union that it is no longer in good standing and shall within 30 days thereafter refer the matter to the International President for such action as the International President shall deem appropriate, including without

limitation, suspension of the Local Union, revocation of its charter, or the appointment of a Trustee as provided in Article VIII, Section 7 of this Constitution and Bylaws. The International President, and in the event of an appeal from his or her decision, the International Executive Board, may lift any suspension or stay revocation of the charter upon such terms and conditions as may be prescribed.

*Priority of per capita payments*  
Section 4. No Local Union shall have any right to pay any bills before it pays its full obligation to the International Union each month.

*Reporting requirements of local membership lists*  
Section 5(a). The Local Union by its Secretary-Treasurer shall forward to the International Secretary-Treasurer the correct names and addresses (including e-mail address and phone number, if available) of all its members, and other membership information as specified by the International Executive Board. Each month it shall submit all changes of addresses; the names, addresses and Social Security or Social Insurance numbers of all members initiated or readmitted; of all other persons from whom revenue is derived, and of those suspended for nonpayment of dues or for any other cause; and a correct list of those who take transfer or withdrawal cards. In addition, the International Union must be notified of the names and addresses of all officers elected to office within 15 days of such action. The proper ZIP code shall be included for each address. Each Local Union must provide the same membership list to the State Council with which it is affiliated. Based on the recommendation of the International Secretary-Treasurer, the International Executive Board may approve a modification to this section which limits the frequency and/or content of this requirement.

*Average gross wage rate*  
(b). Beginning in 2006, each local shall forward to the International Secretary-Treasurer by April 1 of each year, information and supporting documentation showing the average gross wage rate of its membership for the previous calendar year. The Secretary-Treasurer may issue specific guidance on the nature of the supporting documentation required.

*Examination of fiscal books and records*  
Section 6(a). Local Union officers or the officers of any other affiliated body shall furnish to any person designated by the International President to examine its books and records, all of its books, records, accounts, receipts, vouchers and financial data whenever requested. All Local Unions and other affiliated bodies shall promptly forward to the International Secretary-Treasurer copies of all annual audit reports and copies of all financial reports setting forth a statement of assets and liabilities and a statement of receipts and disbursements which are required by law.

*Maintenance of local records*  
(b). All records of a Local Union or other affiliated body pertaining to income, disbursements and financial transactions of any kind whatsoever must be kept for a period of at least six years or longer if required by applicable law.

*Requirements on revocation of charter*  
Section 7. When the charter of a Local Union or other affiliated body is revoked, the Local Union or other affiliated body and its officers shall return all books, documents, property and funds to the International Union.

A partial waiver may be granted to a Local Union in which the majority of members are public sector workers and in which the average monthly dues rate is greater than \$30 per month as of January 1, 2001, or beginning January 1, 2002, and continuing through January 1, 2005, to such public sector Local Union in each year in which average monthly dues are greater than \$32.

Full or partial waivers of any of the requirements of this section may be granted taking into consideration the resources of the Local Union, the Local Union's dues rate, whether the Local Union has recently implemented a dues increase, the percentage of workers represented by the Local Union covered by a union security clause and the wage rate of the Local Union's members. A waiver also may be granted to Local Unions in light of work states that are engaged in active and strategic organizing efforts in accordance with approved industry division plans.

(g). Nothing in this Section shall apply to Local Unions based in Canada.

Section 7(a). The minimum dues of all members of any Canadian Local Union shall be \$10.00 per month except that by action of a Local Union they may be reduced to not less than \$2.50 per month for retired members and organizing committee members and \$2.00 per month for associate members.

For Canadian Local Unions employing a percentage dues system, the minimum dues of all members of any Local Union shall be 1 percent of gross monthly salary per month or \$10.00 per month, whichever is greater, except that by action of a Local Union they may be reduced for retired members, organizing committee members and associate members.

The International President, with the approval of the International Executive Board, may waive these requirements for such period as he or she deems advisable as long as such waiver does not, in his or her judgment, impair the ability of the Local Union to properly represent its members.

(b). All dues in Canadian Local Unions shall be increased by no less than \$1.00 no later than September 1, 2000, and each September 1 thereafter, continuing until September 1, 2004, unless a waiver is requested from, and granted by, the International President provided, however, that a Local Union may delay the implementation of this increase for a period of up to four months past this date without requesting a waiver from the International Union.

For those Canadian Local Unions employing a percentage dues system, all dues shall be increased by no less than 1.0 percent (one-tenth of 1 percent) no later than September 1, 2000, and each September 1 thereafter, continuing until September 1, 2004, unless a waiver is requested from, and granted by, the International President provided, however, that a Local Union may delay the implementation of this in-

Canada

Canadian local unions

Minimum dues

Dues increase

28 CONSTITUTION AND BYLAWS

As of January 1, 2005, all dues rates shall be increased by \$1.00 per week.

(d). Local Unions in which the Constitution and Bylaws provide for a dues system other than a flat-rate system (e.g., a scale, hourly or percentage formula system) shall increase the formula as necessary to generate an average dues increase and a dues minimum equal to the flat rate specified in this section.

*Percentage dues system*  
As of January 1, 2007, every Local Union shall be required to have a membership dues system based on a percentage of monthly gross earnings.

If a Local Union's dues system is not already based on a percentage dues system, it shall convert to a percentage dues system, effective January 1, 2007. The percentage rate minimum required in converting to a percentage dues system shall be the rate that provides the Local Union with revenue equal to what it otherwise would have received under its prior dues system as of that date. The calculation of revenue otherwise receivable under the prior dues system shall be based on the Local Union's average monthly membership for the six month period from June 1, 2006, through November 30, 2006.

Upon request, this requirement may be waived by the International President, as provided in subsection 6(f) below.

Questions concerning the application or interpretation of this subsection shall be resolved by decision of the International Secretary-Treasurer, subject to appeal to the Executive Board.

*Exceptions*  
(e). There shall be no required increase in the rate of dues for i) members who earn less than \$100 per week (or the monthly equivalent of \$433); or ii) members who have not achieved a first collective bargaining agreement.

Local Unions in which a majority of the members are industrial and allied sector workers shall increase dues rates by 50 cents per week (or the equivalent as described in Section 6(d) effective January 1, 2001, and each January 1 thereafter continuing until 2005 unless a waiver is requested from, and granted by, the International President, as provided in subsection 6(f).

*Dues waivers*  
(f). The International President, with ratification by the International Executive Board, may waive the requirements of this section for such period as he or she deems advisable upon a showing of good cause as set forth below so long as such waiver does not impair the ability of the Local Union to properly represent its members.

In the case of mandated dues increases under subsection 6(c), such waiver may be a full or partial waiver. In the case of a partial waiver, the required dues rate increase shall be reduced to 50 cents per member per week or the equivalent as described in Section 6(d).

A full waiver may be granted to any Local Union which has established, in accordance with its Constitution and Bylaws, an alternative dues structure and/or dues increases which satisfy the goals of this Section.

Section 8. The revenue from per capita taxes paid by Canadian Local Unions shall be spent by International Union for activities that support Canadian Local Unions.

Article XIV  
ISSUANCE OF CHARTERS

Section 1. Twenty-five or more persons within the jurisdiction of this International Union may apply to the International Secretary-Treasurer for the issuance of a charter. In any event, the International President or the International Executive Board may issue a charter whenever it is deemed advisable. The application for a charter shall be accompanied by the required initiation fees and charter fee.

Section 2. The International Executive Board shall establish the policy and procedures governing the issuance of charters and shall determine all questions of jurisdiction between Local Unions. Local Unions in existence at the time of the formation of the International Union shall retain the jurisdiction which they held at that time. If there be any contested question in connection with the matters referred to in this Section, action of the International Executive Board shall be after a hearing upon reasonable notice before it or a hearing officer or officers (who need not be a member or members of this organization) designated by the International Executive Board.

Section 3. The International Executive Board may consolidate or merge existing Local Unions under such terms and conditions as the International Executive Board may determine when in the opinion of the International Executive Board the interests and welfare of the International Union and the membership thereof will be better served by such action.

Section 4. Such merger or consolidation of existing Local Unions shall be conditioned upon the consent of the Local Unions or shall be effectuated after a hearing upon reasonable notice before the International Executive Board or a hearing officer or officers (who need not be a member or members of this organization) designated by the International Executive Board.

Section 5. The International President may designate such coordinators and establish such organizing committees or provisional Local Unions for the purpose of organizing workers, and may establish other bodies for other purposes he or she deems appropriate, with or without requiring the payment of dues, initiation fees or per capita tax, as he or she may deem advisable, and the International President shall be authorized and empowered to name provisional officers for and to expend and control the finances of such organizing committees or provisional Local Unions or other bodies. The International President shall thereafter report such matters to the International Executive Board.

*Canadian locals per capita*

*Application for charter*

*Charters and jurisdiction*

*Contested questions*

*Consolidation and merger*

*Merger hearings*

*Provisional organization*

Article XV  
DUTIES OF LOCAL UNIONS

*Bonding of local*

Section 1. All Local Unions and affiliated bodies shall secure and maintain surety bonds in the amounts and the form required by applicable statutes. The International Secretary-Treasurer may direct an increase in the amount of any bond whenever he or she deems it necessary and advisable and may direct bonding by any Local Union not required by statute to secure a bond.

*Eligibility requirements for local officers*

Section 2. No person shall be eligible for nomination as an officer, member of the Executive Board, delegate, or any other officer in a Local Union who has not been a member in continuous good standing in the Local Union for at least two years immediately preceding the nomination and has, during all of that time, paid the full dues required for working members of the Local Union within each month when due. Notwithstanding the above, a Local Union may adopt a local union bylaw that reduces this continuous good standing requirement from two years to no less than six months. No person who has been convicted of a felony as defined in Section 504 of the Landrum-Griffin Act (or indictable offense in Canada) shall in accordance with the provisions of applicable law be eligible for nomination under the terms of this Section. If the Local Union has been chartered less than two years, the required period of continuous good standing shall be the entire time that the Local Union has been chartered. The International President may waive the foregoing requirements for good cause shown. Any Local Union may provide in its Constitution and Bylaws for further limitations upon eligibility for nomination, provided such provisions are approved by the International Union. Upon the request of a Local Union Executive Board, the International President may waive Local Union eligibility requirements for good cause shown. Associate members, life members, and those retired members paying less than the full dues required for working members of the Local Union shall not be eligible for nomination as an officer, member of the Executive Board, delegate, or any other officer in the Local Union. Proxy voting shall not be permitted in any election for an officer, member of the Executive Board, delegate or any other officer in the Local Union. Write-in candidates shall not be permitted in any election for an officer, member of the Executive Board, delegate or any other officer in the Local Union, except if expressly approved by the International President upon request of the Local Union Executive Board.

*Waiver*

Section 3. The Constitution and Bylaws of all Local Unions and affiliated bodies and amendments thereto must be submitted to the International Union and be approved before they become valid; provided, however, that notwithstanding such approval, the Constitution and Bylaws of all Local Unions and affiliated bodies shall at all times be subordinate to the Constitution and Bylaws of the International Union as it may be amended from time to time. If a Local Union or an affiliated body shall not have secured the approval of a valid Constitution and Bylaws, the provisions

*Proxies, written prohibited*

contained in the Constitution and Bylaws of the International Union as it may be amended from time to time shall govern said Local Union and affiliated body insofar as applicable. Regardless of approval, if any conflict should arise between the Constitution and Bylaws of a Local Union and affiliated bodies or any amendments thereto, and the Constitution and Bylaws of the International Union as it may be amended from time to time, the provisions of the International Union shall govern.

*Approval of local constitutions*

Section 4. Each Local Union shall provide its members upon request with a copy of the Constitution and Bylaws of the International Union and the Local Union. Copies of the International Constitution and Bylaws will be provided by the International Union to the Local Unions at cost.

*Priority of international constitution*

Section 5. All Local Unions must provide for meetings of the membership on a general, division, chapter or work-site basis at least once every two months, except during the months of July and August. The Executive Board of each Local Union shall in any case meet at least once a month. However, if approved by the Local Union membership, the requirements of this section may be modified in the Local Union's Constitution and Bylaws.

*Distribution of constitution*

Section 6(a). Effective January 1, 2005, for all members of Local Unions who have annual earnings of \$16,000 or more, the minimum dues shall be equal to \$28.00 per month. Effective January 1, 2005, for all members with annual earnings between \$5,000 and \$16,000, the minimum dues shall be equal to \$20.00 per month.

*Local meeting requirements*

Effective January 1, 2006, through January 1, 2008, the minimum monthly dues for all members with annual earnings between \$5,000 and \$16,000, shall be increased by \$1.00 annually, effective January 1 of each year.

*Minimum dues*

Notwithstanding the above, by action of the Local Union the minimum dues may be reduced for retired members, organizing committee members, and associate members. The Local Union may establish a minimum dues for members with annual earnings which are less than \$5,000.

Upon request, these requirements may be waived by the International President, as provided in subsection 6(f) below.

*Maximum dues cap*

(b). By no later than January 1, 2004, a Local Union's dues system shall not contain a maximum limitation on the dues amount per member otherwise applicable under the Local Union's dues formula. Upon request, this requirement may be waived by the International President, as provided in subsection 6(f) below provided that any maximum limitation permitted by the International President is indexed for inflation.

*Dues increases*

(c). Unless (i) the Local Union is covered by an exception set forth in subsection 6(d) below, or (ii) a waiver is requested from, and granted by, the International President, as provided in subsection 6(f) below, the dues rate increases required by this Section shall be as follows:

By-Laws of  
**SEIU/District 1199**  
**The Health Care and Social Service Union**

**ARTICLE I**  
**NAME AND AFFILIATION**

Section 1 - This organization shall be known as SEIU/District 1199, The Health Care and Social Service Union, (herein referred to as "SEIU/District 1199" or "District")

Section 2 - As provided by the International Union Constitution, SEIU/District 1199 WV/KY/OH was created by issuance of a certificate of affiliation to it by the International Union, District 1199 is consequently an inseparable part or segment of the International Union

**ARTICLE II**  
**JURISDICTION**

The jurisdiction of the District shall extend to employees of medical centers, hospitals, nursing homes, research institutions, pharmacies, similar related or comparable institutions, and other health care and social service facilities and agencies, and public employees, and shall embrace all professional, technical, clerical, service and maintenance and all other employees in the health care field and public sector, and shall also include all higher education, library and Head Start agencies.

The geographical jurisdiction of the District shall encompass the States of West Virginia, Kentucky, Ohio and adjoining areas.

**ARTICLE III**  
**AIMS AND PURPOSE: GUIDING PRINCIPLES**

Section 1 - Objects The objects of the District are:

- (a) To organize and unite all employees within its jurisdiction without regard to race, color, sex, age, religion, national origin, political belief or affiliation or sexual orientation
- (b) To promote for its members higher wages, and improved working conditions; to promote and safeguard the economic and work-life interests of its members and their families
- (c) To educate the workers in Trade Union principles; to maintain, preserve and extend the democratic process and institutions of our country; to advance, defend and protect civil liberties and the rights of all; to eliminate all forms of discrimination and prejudice and to aid in the adoption of legislation in the interest of its members and for the well-being of the people generally
- (d) To protect and advance the technical and professional status of its members; to aid and encourage members to acquire greater knowledge and skill in the health care field and to help achieve high quality health care for all people regardless of their economic status

Section 2 - Guiding Principles:

- (a) The policy of the District and its methods of operation shall be such as to facilitate and stimulate the broadest possible rank and file participation in the formulation and execution of the program of the District and to encourage development of the most effective leadership.
- (b) There shall be full respect for all differences of opinion, and all members shall have full freedom of expression
- (c) Majority rule as provided by these By-Laws shall prevail and all members shall be bound by, respect and support the decision of the majority
- (d) Robert's Rules of Order shall control the conduct of all membership meetings, except as otherwise provided by these By-Laws.

## ARTICLE IV DISTRICT OFFICERS

### Section 1 - District President

- (1) The President of the District shall function as the Chief Officer of the District. He or she shall coordinate and administer all of the affairs and activities of the District, subject to the approval of the Executive Board. The President's decision shall be binding unless reversed by the Executive Board.
- (2) Subject to the approval of the Executive Board, the President shall appoint organizers for the District. He shall fix salaries of all personnel, with the approval of the Executive Board.
- (3) The President shall preside at all membership meetings, or may designate such authority to preside to any other officer.
- (4) The President is authorized to appoint committees and representatives not otherwise provided for, subject to approval of the Executive Board.
- (5) The President shall be a member of the Executive Board.
- (6) The President shall sign all official documents.
- (7) The President shall have the right to subdivide the District into appropriate areas for proper and efficient administration of the District.
- (8) The President shall sign all collective bargaining agreements on behalf of the District or may designate someone else to do so.
- (9) The President shall have the power, jointly with the Secretary-Treasurer or a Vice President to sign checks, promissory notes and other instruments for the payment of money issued against the accounts of the District.
- (10) The President shall have the power to make disbursements as may be required by the needs of the District, subject to the approval of the Executive Board.
- (11) The President shall be responsible for, direct and be in charge of collective bargaining on behalf of the District.
- (12) The President may be salaried.
- (13) The President shall be responsible for the proper performance of duties to the Executive Board, Delegate Assembly and the membership.
- (14) In the event of the death or disability of the President, the Executive Board shall meet and appoint an interim President to serve until the next election.

### Section 2 - The Secretary-Treasurer

- (1) The Secretary-Treasurer shall be responsible for, direct and be in charge of organizing on behalf of the District.
- (2) The Secretary-Treasurer shall assist the President in the administration of the District.
- (3) The Secretary-Treasurer shall be the chief financial officer of the District and shall make payments from District Funds.
- (4) The Secretary-Treasurer shall maintain and preserve proper books and records of the finances, accounts, assets and disbursements of the District, which shall be subject to inspection and examination upon request by the Executive Board of the District and/or the President of the International Union.
- (5) The Secretary-Treasurer shall be in charge of, preserve and maintain for safekeeping all monies and properties, securities and other evidences of investment, received by, held or in possession of the District.
- (6) The Secretary-Treasurer shall prepare and submit an annual financial report and such other additional reports as the Executive Board of the District and/or President of the International Union.
- (7) The Secretary-Treasurer shall submit all books and records of the District for audit, examination and inspection each year, and at such other times, as the Executive Board of the District and/or President of the International Union may require.
- (8) The Secretary-Treasurer shall prepare and submit an annual budget for the District to the Executive Board.
- (9) The Secretary-Treasurer shall also perform other duties as may be assigned by the President or the Executive Board.
- (10) The Secretary-Treasurer shall be a member of the Executive Board.
- (11) The Secretary-Treasurer may be salaried.

### Section 3 - The Vice Presidents:

- (1) The six Vice Presidents shall assist the President and shall preside at meetings in the absence of the President or whenever directed by the President to do so.
- (2) The Vice Presidents shall assist in administrative duties of the District, and shall help in the ongoing organizing of new members.

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### Section 4 - The Executive Vice Presidents:

- (1) There shall be three Executive Vice Presidents which shall commence with the next District-wide elections subsequent to adoption of this provision, be elected by the total membership of the District. The Executive Vice President shall be full-time positions with the District, with duties assigned by the President consistent with these Bylaws.
- (2) The President, the Secretary-Treasurer, the Executive Vice Presidents and the Vice Presidents shall make up the Executive Committee of the District.

### Section 5 - Establishment of Additional Vice President and Executive Vice President Positions:

- In order to facilitate affiliations, mergers, and organizational changes within the District, the President shall have the authority, subject to approval of the Executive Board, to create additional Vice President or Executive Vice President positions and shall have the authority, with the approval of the Executive Board, to make interim appointments to such positions pending the next subsequent election of District officers.

### Section 6 - Executive Board:

- (1) The Executive Board shall consist of all the officers of the District and one member for every Chapter. Chapters of 250 members or a major fraction thereof shall elect an additional member to the Executive Board, and an additional member for each additional 250 members or major fraction thereof.
- (2) The Executive Board shall meet at least quarterly, with a minimum of two quarterly meetings a year being held in a single, central location. Remaining quarterly meetings may be held in separate regional sessions in a manner to be determined by the Board. The President and Secretary-Treasurer will, to the extent practicable, rotate their attendance at the regional Executive Board meetings according to the published schedule of rotation.
- (3) The Executive Board shall have the following rights and powers:
  - (a) To receive and act upon reports of officers and other District representatives.
  - (b) To approve and authorize the disbursement of such funds of the District as in its discretion may be required for organization and administration purposes in order to promote the aims and objectives of the District.
  - (c) To invest and reinvest the funds of the District in such property, real or personal, tangible or intangible, as it shall consider prudent, necessary and desirable in the interest of the District and its members.
  - (d) To appoint Trustees or alternates of all trust funds established by the District or in which it has an interest that may be appropriate and required.
  - (e) To interpret the By-Laws. Such interpretations shall be final, binding and conclusive and shall remain in full force and effect, unless reversed, modified or otherwise changed by Delegate Assemblies.
  - (f) To formulate plans, programs and policies.
  - (g) To fill any vacancies that occur pending elections.
  - (h) To formulate the "order of business" for the General Delegate Assembly and the General Membership meetings.
  - (i) To approve, upon the recommendation of the President, affiliations and mergers with other existing labor organizations.

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ARTICLE V  
GENERAL ASSEMBLY

Section 1 - There shall be a General Delegates' Assembly for the District composed of the Delegates of the District and the Officers of the District.

Section 2 - The General Delegates' Assembly shall meet at least every two years.

Section 3 - The General Delegates' Assembly shall have the power, subject to the provisions of these By-Laws, to act upon any matter affecting the members of the District.

Section 4 - Decisions made by the General Delegates' Assembly shall be final and binding upon the membership of the District, except that in matters affecting dues, initiation fees, assessments, collective bargaining contracts, election of Officers and any other matter otherwise specifically provided for by these By-Laws, its decision shall be considered as recommendation.

Section 5 - The General Delegates' Assembly shall have the power to appoint Committees; set up such Boards, and to amend such rules and regulations for the District as in its judgement will best effectuate its purposes.

Section 6 - The General Delegates' Assembly shall receive and act on all reports and decisions of Officers, Committees and Boards of the District.

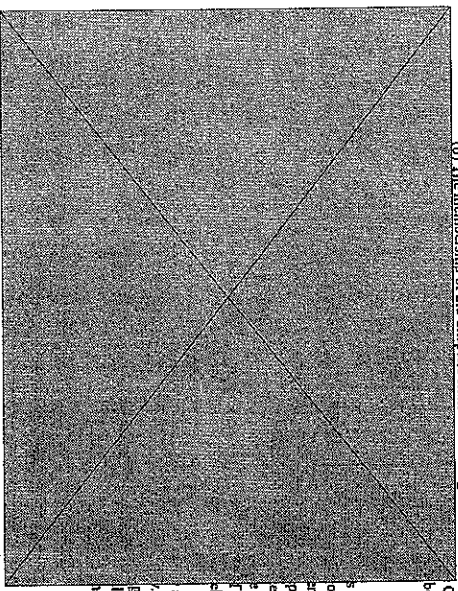
Section 7 - A Delegate desiring to include a matter on the agenda of the General Delegates' Assembly shall forward such request in writing to the Executive Board at least fifteen (15) days prior to the meeting. Should the Executive Board fail or decline to do so, the Delegate may nevertheless have the matter included on the agenda by obtaining the signatures of at least ten percent (10%) of the members in good standing of the General Delegates' Assembly, on a petition requesting such inclusion.

ARTICLE VI  
ORGANIZATIONAL STRUCTURE

Section 1 - Chapters:

(a) The District shall be divided into Chapters. A Chapter will consist of the members of the District employed in one health care or public sector facility. More than one Chapter may be established at one health care or public sector facility at the direction of the District President when the members would be better served by having more than one Chapter.

(b) The membership of the Chapters shall have the right to elect such Chapter Officers as deemed appropriate to the District membership, but in no case shall the membership of the Chapter be members of the General Assembly.



to the District upon the or faction thereof. Whoever is a department consists of payment for this purpose, or ed within three months of bargaining agreement. District decisions and the shall of the members they and are obligated to attend the position shall be I arrange for the election of a he highest responsibilities.

(c) A Delegate may be removed after a hearing by the members comprising his/her group or department. Delegates shall take the following oath:  
"I (name) do hereby accept the position of Delegate and faithfully carry out the obligations of my office and every right and privilege of Union membership. I pledge from all its enemies. On this pledge, I swear my good faith."

ARTICLE VII  
GENERAL

Section 1 - The term "General Membership" as used in these By-Laws shall mean all members of the General Membership of the District shall be the following:  
(a) It shall have the power and authority to act on all matters affecting the members of the District.  
(b) It shall elect all General Officers of the District.  
(c) It shall have the power and authority to set up such Committees, Boards and other agencies as may be necessary for the better government of the District.  
(d) It shall receive and act upon reports from all such agencies.

Section 2 -

(a) The members of a Chapter shall meet on a regular basis to transact the business as they deem necessary or desirable. The rules, regulations, decisions or policies of the Chapter shall be subject to the approval of the District.  
(b) The members of a Chapter shall receive and act upon all reports and decisions of the Chapter Officers.  
(c) They shall have the right to vote by secret ballot on all matters affecting the Chapter.  
(d) They shall have the right to vote by secret ballot on all matters affecting the Chapter.

Section 3 - Meetings of Members  
Members of the District shall meet on a regular basis.

Section 4 - Eligibility for Membership:

(a) All persons working as employees in the health care or public sector within the jurisdiction of the District as defined by the District including persons employed by the District.  
(b) An applicant for membership in the District shall be eligible to register, provided:  
1. Pay an initiation fee of \$30.00 unless:  
2. Pay the first month's dues.  
3. Attend a Chapter meeting and be introduced to the District membership.  
4. Applicants for membership shall take the following solemn pledge and promise to be a loyal member of the District:  
"I solemnly pledge and promise to be a loyal member of the District. I will respect and abide by all decisions of the District. I will fully comply with all District decisions. I will uphold the honor and integrity of the District and its members. I will support the District's goals and objectives. I will support the District's policies and procedures. All this I solemnly promise."

Section 5 - Rights and Privileges of Members:  
Every member of the District in good standing shall have the following rights and privileges:  
(a) To vote on all matters affecting the District.  
(b) To vote on all strike calls and strike settlements.  
(c) To receive such strike benefits as the Union may provide.

(a) To vote on all matters affecting the District.  
(b) To vote on all strike calls and strike settlements.  
(c) To receive such strike benefits as the Union may provide.

(f) To vote in all District elections in accordance with these By-Laws.  
 (g) To attend all regular and special meetings of his or her Chapter, and participate in discussion and vote on all questions.  
 (h) To be a candidate for elective office and/or position in accordance with the provisions of these By-Laws.  
 (i) To utilize all services provided by the District and to participate in all social, educational and cultural activities.

**Section 6 - Dues and Membership:**  
 A member of the District shall have the duty and obligation to strengthen and defend the District and its membership to the best of his or her ability.

- (a) A member shall attend all regular and special meetings of his or her Chapter whenever possible.
- (b) A member shall observe orderly procedure and decorum at all meetings.
- (c) A member shall comply with decisions of the District made pursuant to these By-Laws.
- (d) A member shall abide by and carry out all of the terms of the Chapter Collective Bargaining contract.
- (e) A member shall assist in organizing the unorganized, and participate in such activities as he/she may be called upon to perform by the District or Chapter to the best of his/her ability.

**Section 7 - Dues and Good Standing:**  
 Every member shall share in the cost of the District as provided by these By-Laws.

- (a) Dues shall become due and payable in advance of the first day of the current month.
- (b) A member who authorizes the Employer to check-off dues and/or initiation fees pursuant to a collective bargaining agreement shall be considered to be in good standing unless there is an outstanding dues obligation under Section 9.
- (c) Members of the District shall pay monthly dues based on the following schedule of weekly earnings:

**SCHEDULE OF DUES**

Weekly Earnings	Monthly Dues
Unemployed	\$1.50
Up to \$99.99	8.00
\$100.00 - \$149.99	10.00
150.00 - 199.99	12.00
200.00 and over	1.75% of gross straight time earnings.

All dues, initiation fees and assessments, if any, shall be paid to the District. Ten percent (10%) of all dues collected shall be set aside by the National Union for a Strike and Defense Fund.

**Section 8 - Suspension:**  
 Any member who shall fail to pay by the twentieth of the month in which the same is due or shall fail to pay any other financial obligation by the due date shall be deemed suspended and shall lose all rights, privileges and benefits of membership.

**Section 9 - Termination:**  
 A member who has been suspended for a period of two (2) months shall be sent a certified letter to the last known address notifying the member that unless he/she pays up the financial obligations to the District within ten (10) days from the date of mailing such letter, his/her membership in the District will be terminated.

**Section 10 - Reinstatement:**  
 A suspended member may be reinstated to good standing by paying up all financial obligations to the District, plus a reinstatement fee of one dollar (\$1.00) for each month he/she is not in good standing, and one dollar (\$1.00) for the certified letter sent to him/her provided these payments are made within the ten (10) day period from the date of mailing of said certified letter as provided.

**Section 11 - Reapplication:**  
 A member whose membership has been terminated may apply for readmission to membership in the District and if accepted, shall pay all back dues and other monies due from him/her to the District, plus a new initiation fee, if applicable.

(b) Any other person applying for membership in the District who ceased being a member without obtaining a withdrawal card shall pay the initiation fee plus any monies owed to the District at the time his/her ceased being a member.  
 (c) A request for the waiver of a new initiation fee may be referred for determination to the District. The decision of the District shall be final and binding.

**ARTICLE VIII  
 ELECTIONS**

**Section 1 - Election Board:**

- (a) During the month of April in an election year the Executive Board shall appoint members to an Election Board, one of whom shall be designated as the Chairperson and another the Secretary of the Board. This Board shall conduct and supervise the general elections of the District in accordance with the provisions made therefore by these By-Laws; in so doing, the Board may adopt such rules which are necessary to effectuate the administration of the elections.
- (b) To be eligible for the Election Board the member must:
  - (1) Be a member of the District in good standing not less than six (6) months, and;
  - (2) Not a candidate for any office in the election.
- (c) The Election Board shall hear and determine all objections to candidates and to the conduct of the elections.
- (d) The Election Board shall certify in writing the candidates who will run in the election.
- (e) The Election Board shall meet promptly after the holding of the election and announce the result of the election.

(f) The Election Board shall preserve the ballot and all other records pertaining to the election for a period of not less than one (1) year.

- (g) Any and all appeals from decisions of the Election Board regarding the conduct of the election shall be deemed waived unless made in writing and filed with President of the District within fifteen (15) days after the announcement by the Election Board of the results of the election. All such appeals timely made shall be considered and decided by the Executive Board and its decision shall be final and binding.

**Section 2 - Nominations:**

- (a) Not later than the first Wednesday in May in an election year the Election Board shall make available to the membership nominating petitions for Officers of the District and the Executive Board.
- (b) A nominating petition shall require not less than two percent (2%) of the signatures of members of the Union in good standing eligible to vote in the election.
- (c) All nominating petitions for Officers and Executive Board shall be filed with the Election Board not later than the first Wednesday in June in the election year.
- (d) To be eligible to run as an Officer or Executive Board member, one must be in good standing and have been a member of the District for at least one (1) year unless having joined through new organization less than one (1) year previously.

**Section 3 - Elections:**

- (a) General elections of Officers and Executive Board shall be held every three (3) years.
- (b) The election of Officers and Executive Board members shall be held during July in an election year, at a place and/or places and during the day or days or hours designated by the Election Board.
- (c) The membership shall be informed of the dates, places and candidates for the election of Officers and the Executive Board at least fifteen (15) days prior to election.
- (d) Voting shall be by secret ballot.
- (e) All Officers shall be elected District wide.
- (f) Executive Board members shall be elected by the membership of the Chapter they will represent.
- (g) To be elected to the position of President, Vice President or Secretary-Treasurer a candidate must receive a majority of the votes cast for that office. If no candidate for the particular office receives a majority of the total votes cast, a run-off election shall be held within forty-five (45)

days thereafter to fill the office or vacancy. In such run-off election the two (2) candidates who received the highest total number of votes shall be placed on the run-off ballot. In this run-off election the candidate or candidates receiving the majority of the votes shall be declared elected. The term of an incumbent Officer or Executive Board member whose office is involved in a run-off election shall be deemed extended until the election of a successor to the office.  
(h) Executive Board members shall be elected by plurality.  
(i) Every candidate shall have the right to observe at the polls and at the tabulation of the ballots.

**Section 4 - Installation:**

(a) The newly elected Officers and Executive Board Members shall be installed during September of the election year and shall immediately thereafter assume their office or position.  
(b) Retiring incumbents shall turn over all Union records and property of whatsoever nature, pertaining to their office or position to their successors immediately after the installation meeting.

**ARTICLE IX  
HEARINGS PROCEDURE**

**Section 1:**

The Executive Board shall adopt rules and procedures in accordance with the International Union Constitution for hearing any charges brought against Officers, Representatives, or members.

**ARTICLE X  
AMENDMENTS**

**Section 1:**

Amendments to these By-Laws may be initiated by (1) a majority vote of the Delegates' Assembly; (2) a majority vote of the Executive Board; or (3) a petition signed by ten percent (10%) of the members of the District who are in good standing.

**Section 2:**

The Executive Board shall submit the proposed amendment(s) to a vote of the District membership within one hundred eighty (180) days from the date of initiation of the amendment(s) or receipt of a valid petition.

**Section 3:**

A copy of the proposed amendment(s) shall be mailed to the members of the District at least fifteen (15) days before the meeting at which such amendment(s) are to be submitted to a vote. A copy of any proposed amendment(s) appearing in the National Union publication and mailed at least fifteen (15) days before such meeting shall be deemed good and sufficient notice for this purpose.

**Section 4:**

The amendment(s) shall become effective upon its adoption unless otherwise provided for.



Revised August, 2005





**DAVE REGAN**  
President

**LISA HETRICK**  
Secretary-Treasurer

**AL BACON**  
Executive Vice President

**SCOTT COURTNEY**  
Executive Vice President

**BECKY WILLIAMS**  
Executive Vice President

**WILLA CREW**  
Ohio Private Vice President

**LARRY DANIELS**  
Kentucky Vice President

**PETE HANLON**  
Ohio State Vice President

**DEBBIE HAJZAK**  
Ohio Public Vice President

**MARILYN METCALF**  
RN Vice President

**LYNN RADCLIFFE**  
School District & Local  
Govt. Vice President

**HEATHER WHITMAN**  
West Virginia Vice President

September 28, 2006

Dear SEIU/District 1199 Bargaining Unit Member:

Ohio is headed in the wrong direction: lackluster public schools, health care costs spiraling out of control and a scandal-plagued administration. We have an opportunity to elect leaders who will help to change the course of this state. Election day, November 7<sup>th</sup>, is fast approaching. It is critical that you register to vote, if you haven't already, so that you can support the candidates that will support you and your family.

But the first step is registering to vote.

**The deadline to register to vote is  
TUESDAY, OCTOBER 10<sup>th</sup>!**

If you are not yet registered, you can fill out the enclosed voter registration form. All you have to do is:

➤ Complete the voter registration application we've enclosed. Remember, you *cannot* use a PO Box as your address, and don't forget to *sign* the form!

➤ Mail the completed form to:

Secretary of State of Ohio  
Elections Division  
180 E. Broad St.- 15<sup>th</sup> Floor  
Columbus, Ohio 43215

Once you have registered, you will receive a post card with your polling place. Below is the list of SEIU-endorsed statewide candidates that we believe will make a difference for the future of Ohio:

Governor- **Ted Strickland**  
U.S. Senate- **Sherrod Brown**  
Attorney General- **Marc Dann**  
Auditor- **Barbara Sykes**  
State Treasurer- **Richard Cordray**

In Solidarity

Dave Regan, President

The Service Employees  
International Union.  
Change to Win. CLC  
www.seiu1199.org

- Columbus Office: 1395 Dublin Road, Columbus, OH 43215 • 614.461.1199 • Fax 614.461.1549
- Cleveland Office: 2570 Superior Ave. 7th Floor, Cleveland, OH 44114 • 216.566.0117 • Fax 216.566.0192
- Cincinnati Office: 1115 Pendleton St., Ste. 301, Cincinnati, OH 45202 • 513.861.3925 • Fax 513.861.1288
- Huntington Office: 2200 Adams Ave. Huntington, WV 25704 • 304.522.2871 • Fax 304.522.2885
- Lorain Office: 939 Broadway Ave. Lorain, OH 44052 • 440.245.0161 • Fax 440.245.0160
- Toledo Office: 435 S. Hawley St. Toledo, OH 43609 • 419.244.7453 • Fax 419.254.5762
- Youngstown Office: 3657 Belmont Ave. Youngstown, OH 44505 • 330.759.3751 • Fax 330.759.4453