

ARTICLE I
NAME

This organization shall be known as the **Transport Workers Union of Philadelphia, Local No. 234**, the Transport Workers Union of America.

Section 1. "To unite in this Local Union, regardless of race, creed, color or nationality, all workers eligible for membership."

Section 2. The Officers of the Local Union shall be, President, one (1) Executive Vice President, three (3) Vice Presidents, a Recording Secretary and a Financial Secretary-Treasurer.

ARTICLE II
EXECUTIVE BOARD

Section 1. The Local Executive Board shall consist of the elected Local Officers plus additional members elected as follows:

Three (3) additional members for the first 1500 members of the Local and one (1) additional member for every 1000 members of major fraction of 1000 members of the Local in excess of the first 1000 members of the Local.

Membership to be computed, June 30th of the Election Years.

The additional Local Executive Board Membership shall be composed of a bare majority of Transportations Members; the remainder shall be Maintenance Members.

Section 2. The Executive Board shall meet at least once each month. A verbatim record of all meeting of the Executive Board shall be kept.

A Stenographer or Recording Machine shall record all proceedings of the meetings. A brief summary of the previous month's minutes will be distributed to the Executive Board at the start of the current month's meeting.

ARTICLE III
JOINT EXECUTIVE COMMITTEE-SECTIONS

Section 1. The Joint Executive Committee shall consist of the members of the Executive Board and of those officers of the Sections and such additional delegates as provided hereinafter.

Section 2. Each Section shall have a Chairman, Vice Chairman, and Recording Secretary who shall be elected every three (3) years by a majority of votes cast by members of the Section on a specified day, the hours and place to be announced beforehand. Except that the term of office beginning December 1986, shall be four (4) years and thereafter revert back to three (3) years.

The Chairman, Vice Chairman and Recording Secretary of the Section shall be delegates to the Joint Executive Committee. Each Section shall be entitled to elect one (1) additional delegates to the Joint Executive Committee for every two hundred (200) members of major fraction thereof in excess of four hundred (400).

Section 3. The Joint Executive Board shall meet at least four times a year. Additional meetings may be called at the discretion of the Local Executive Board.

A Stenographer or Recording machine shall record all proceedings of the meetings.

Section 4. If a vacancy shall occur in any Section Office, a special meeting of the members of the Section shall be held within thirty (30) days after the occurrence of such vacancy, at which meeting nominations shall be made. The elections shall take place on a date specified by the elected Staff Officers. If a vacancy which occurs shall be in the office of Section Chairman, or the Recording secretary, the Vice Chairman shall perform the duties of the vacant office until the vacancy has been filled in accordance with the provisions of these By-Laws.

Section 5. If a Section Officer transfers to another Section, his title to his/her office is to be declared vacant and the next in line of succession to act in his capacity until he returns or sixty (60) days, whichever comes first. Then an election will be held.

Section 6. Section Officers, who resign their Section Office, shall not be nominated or elected or appointed to a Section Office of the same Section, until that term of office expires in which that Section Officer has resigned.

ARTICLE IV

RELATIONSHIP BETWEEN EXECUTIVE BOARD AND JOINT EXECUTIVE BOARD COMMITTEE

Section 1. All decisions and rules shall be made by the Executive Board. All actions, decisions and rules of the Executive Board shall be reported to the Joint Executive Committee at its monthly meeting for transmission by the members of the Joint Executive Committee to the members of the Sections.

ARTICLE V

LOCAL OFFICERS

Section 1. The duties of all Officers shall be set forth in the International Constitution as follows:

President

The President shall preside at all meeting of the Local Union, the Local Executive Board and the Joint Executive Committee. He shall sign all orders of the Financial Secretary Treasurer authorized by the Local Executive Board and countersign all checks issued by the Financial Secretary Treasurer against the accounts of the Local Union on authorization of the Local Executive Board.

He shall enforce the provisions of the International Constitution and these Local By-Laws. He shall appoint all Committees not otherwise provided for and be Ex-Officio Member of all Committees. He shall perform such other duties as the Local Union or the Local Executive Board may assign to him and except as to powers and duties specifically conferred on him by the Constitution. He shall adhere to all decisions and directions of, and be subject to the Local Executive Board. He shall be Ex-Officio, a delegate to Conventions of the International Union and of all organizations to which the Local is affiliated.

Section 2. Vice Presidents. The Vice Presidents shall assist the President in the discharge of his duties. During any absence of the President, the Executive Vice President shall perform the duties of the President. In the event that a vacancy occurs in the office of President, the Executive Vice President shall act as President for the unexpired term. They shall be Ex-Officio to Conventions of the International Union.

Section 3. Recording Secretary. The Recording Secretary shall keep correct minutes of the Local Executive Board and of the Joint Executive Committee. He shall issue the call for all meetings of the Local Union, of the Local Executive Board and of the Joint Executive Committee, as directed by the Local Executive Board. He shall perform such other duties as are prescribed by the International Constitution and the Local By-Laws or by the Local Executive Board.

He shall be Ex-Officio to Conventions of the International Union. He shall open all correspondence received in Local Union. He shall open all correspondence received in Local Union. In the absence of the Recording Secretary, the President shall delegate authority to open correspondence concerning Local 234, unless personally addressed to any other Staff Officer. A duplicate copy of all correspondence leaving the Local Union on Union stationary shall be received by the Recording Secretary of the Local.

Section 4. Financial Secretary Treasurer. The Financial Secretary Treasurer shall receive all monies paid into the Local Union, including monies received for welfare or special funds and give official receipts for all such monies received using the triplicate receipt book supplied by the International Union on a form approved by the International Administrative Committee. He shall deliver the original receipt to the payer, a triplicate thereof to the International Secretary Treasurer and retain the duplicate in the files of the Local Union. He shall report monthly to the Local Executive Board and to the International Secretary Treasurer on the forms approved by the International Union. He shall keep regular books

and records of the Local finances and shall submit the same for inspection and audit to a Certified Public Accountant, the cost of such audit to be borne by the Local Union. At the request of a Local Union, the International Administrative Committee shall have the power to waive the requirement that the audit be conducted by a Certified Public Accountant and substitute another form of audit satisfactory to the International Administrative Committee. A copy of such audit shall be submitted to the International Secretary Treasurer. He shall deposit all monies received in the name and number of the Local Union in such bank or banks as the Local Executive Board may direct.

He shall countersign all checks. He shall be the custodian of the Seal of the Local Union. He shall keep and supply to the International Secretary Treasurer a correct record of the full names and addresses of all members, and promptly notify the International Secretary Treasurer of the names and addresses of all members who leave the Local or who are suspended or expelled. Before entering upon his duties, the Financial Secretary Treasurer shall deliver a Bond as required by the International Union and in an amount to be determined by the International Secretary Treasurer based on the audit report of the Certified Public Accountant, (but not less than the minimum amount established by the Department of Labor). The premium on said Bond shall be paid out of the funds of the Local Union. He shall deliver to his successor all monies and other property of the Local Union. On demand of the International Union, he shall make available all books and records including the records of any Welfare or Special Funds for examination and audit. He shall be Ex-Officio to Conventions of the International Union.

Section 5. The Officers of the Local Union shall be the Trustees of the property of the Local Union, subject to the direction of the Local Executive Board and deliver such bond as required by law.

Section 6. The term of office of Local Union Officers and Executive Board Members shall be three (3) years. Except that the term of office beginning October, 1986, shall be four (4) years and thereafter revert back to three (3) years. Any member of the Transport Workers Union who has an application for any position in the Supervisory capacity or in clerical forces shall not be eligible to be a candidate for or to hold membership on the Executive Board or Section Officers unless the position applied for is within the coverage of the Union Contract.

Section 7. The current salaries of all Staff Officers and Business Agents shall be prominently posted in the Conference Room of the Union Office.

In the event an additional Local Executive Board Member is used for five (5) consecutive days he or she shall receive the salary and expenses of a Local Representative for one week. These salaries and expenses shall not be increased except by the action of the Local Executive Board provided that he or she is not paid wages, sick or accidental benefits, or vacation pay by the company for any such five (5) days.

Section 8. In the event of a vacancy on the Executive Board, the Recording Secretary shall notify the Chairman of the Section from which the former member came of the vacancy within ten (10) days. Nominees for the vacancy shall be made at the Section meeting following notification and the Recording Secretary shall be given the names of the nominees within ten (10) days of the nominations. A member to fill the vacancy shall be elected from the nominees by the members of the Local Executive Board at its next meeting.

ARTICLE VI

Section 1. No member shall be eligible for nomination or election to Office unless he shall have been in continuous good standing for the period of twelve (12) months immediately preceding his nomination. Discharged employees may retain their membership in good standing for the purpose of running for Union Office by continued payment of their dues provided in Article XII, Section 3 of the International Constitution.

Section 2. Election of Local Officers and Executive Board members shall be held once every three (3) years, on the last payday of September. Except that the term of office beginning October 1986, shall be (4) years, the next Election to be held would be the last payday of September 1990, and thereafter revert back to once every three (3) years. Officers and Executive Board members shall be installed on the second Monday of October succeeding their Election. When the International Convention is in conflict with the Local Election, the Local Election will be held on the prior payday to the last payday of the month.

Section 3. Nominations of Officers and Executive Board Members shall be by petition signed by members of the Local Union. In order to be nominated for President, Executive Vice President, Vice President, Recording Secretary or Secretary Treasurer, a candidate must obtain four hundred (400) signatures of members of the Union upon his petition. In order to be nominated for member of the Executive Board, a Transportation Representative must obtain at least two hundred (200) signatures upon his petition; a Maintenance Representative must obtain at least one hundred (100) signatures.

Section 4. No candidate for office shall be permitted to be member of or serve upon the Election Committee.

Section 5. The President shall appoint an Election Committee consisting of one member from each of the following groups:

Rail – Bus – Cashiers – Maintenance and High Speed

All elections shall be by secret ballot at the polling place designated by the Election Committee. However, any Section desiring any other type of election may do so by notifying the Recording Secretary on or before June 30th of the election year of the desired change, provided that the request has been approved by a majority vote at the Section meeting of the Section desiring the change, and

provided further that the Executive Board by majority vote, shall approve the change.

Section 6. All disputes arising out of the nominations and elections shall be reported to the Election Committee. The Election Committee shall make a full and complete report on the nomination and elections; shall certify the results of the election; shall set forth a digest of each appeal made to the rules and regulations governing the nominations and the elections to a meeting of the Executive Board to be held no more than ten (10) days after the date of the elections. An appeal from the certification by the Election Committee of the results of the election may be made only to the International Appeals Committee. The decision of the Election Committee in such cases shall become and remain effective unless and until the International Appeals Committee decides otherwise.

ARTICLE VII

Section 1. Local Officers and members of the Executive Board shall be elected for a term of three (3) years, except as noted in Article V, Section 6, by a plurality of the votes cast by members of the entire Local Union. Such Elections shall be by Secret Ballot.

Section 2. Election of International Convention Delegate shall follow the same procedure as election of Local Officers.

Section 3. All Rules and procedures pursuant to the conduct of elections will be drawn up by the Election Committee and submitted to the Executive Board for approval prior to the election.

ARTICLE VIII VIOLATIONS OF BY-LAWS AND CONSTITUTION

Section 1. Violation of these By-Laws and the Constitution of the Transport Workers Union of America shall be handled in the following manner as provided in the International Constitution, Article XX, as follows:

TRIAL OF MEMBERS

Section 1. Charges against a member of a Local Union must be made in writing specifying the section or sections of the Constitution or By-Laws violated and the manner of violation and must be signed by the number or members making the charges and delivered to the Recording Secretary of the Local Union.

Section 2. At its first meeting after the receipt of said charges, the Local Executive Board shall consider the charges. The Local Executive Board may thereupon dismiss the charges if, in the opinion of the majority of the Board, the

charges are baseless or petty. Such dismissal may be appealed to the International Union.

Section 3. (a) In the event that the Local Executive Board should decide that the charges warrant investigation and hearing, the Local Executive Board shall elect a Trial Committee of three of its own members and shall designate one of its own members to present the charges before the Trial Committee. The members of the Trial Committee shall be selected by Executive Board specifically for the trial of such charges and no officer or member who is a party or directly interested in such charges, shall act as member of the Trial Committee. The accused may challenge any member of the Trial Committee on the ground that he is party to or directly interested in such charges.

The challenge must be made to the Local Executive Board within one (1) week after notification to the accused of the time and place of the hearing before the Trial Committee.

The challenge is sustained, the Local Executive Board shall replace the challenged member of the Trial Committee. If the challenge is not sustained, the hearing shall take place at such time and place as is then fixed by the Local Executive Board. The accused shall be given reasonable notice of such time and place in the manner hereinafter provided.

- (b) The Local Executive Board shall notify the accused of the identity of the members of the Trial Committee and shall fix the time and place of the hearing, which shall be not less than one (1) week nor more than four (4) weeks after the mailing of the notice required by this article.
- (c) The accused shall have the right to be represented before the Trial Committee by any member of the Local Union in good standing.
- (d) In the event that the accused fails to appear at the hearing at the time and place provided in the notice served upon him, and presents no reasonable excuse for absence, the hearing shall proceed with the same force as if he were present.

Section 4. Where the Local Executive Board refers to a hearing, the Recording Secretary shall promptly mail a copy of the charges, by registered mail, to the accused member at his last known address together with a statement containing the names of the Trial Committee and the time and place of the hearing. Such information shall also be given to the member or members who prefer charges.

Section 5. Within seven (7) days after the conclusion of the hearing, the Trial Committee shall report its finding and recommendations to the Local Executive Board.

Section 6. The Local Executive Board shall take such action on the report of the Trial Committee as it may deem proper and, in the event the accused is

found guilty of the charges preferred against him, shall impose such penalties as in its judgment it may deem fitting and proper.

ARTICLE IX

Section 1. Nomination for Section Officers shall be held in the months of September or October. All nominations must be submitted no later than October 31st, if there be no nomination, the President shall appoint officer for the unexpired term. Election of Section Officers shall be held in the month of November. Installation of Section Officers shall be held in the month of December.

ARTICLE X

Section 1. Stationary with Union letterhead cannot leave the office unless signed by a Local Officer.

ARTICLE XI

Section 1. In the event an Executive Board member transfers from one unit to another, that is Maintenance to Transportation or vice-versa, his place on the Executive Board will be declared vacant after sixty (60) days.

ARTICLE XII **STEWARDS**

Section 1. No later than thirty (30) days after Section Induction each Section Chairman shall file with the Recording Secretary the names and addresses of the Stewards appointed by him in his respective Section.

ARTICLE XIII **LITERATURE**

Section 1. Leaflets and literature for circulation among the membership purporting to state union policy or to advertise any official Union activity must have the approval of the Staff before being posted or distributed. To participate in the posting, distribution or publication of unauthorized materials shall constitute a punishable offense against the Union.

ARTICLE XIV

Section 1. (a) An Initiation Fee of not less than Fifty dollars (\$50.00) nor more than Two Hundred dollars (\$200.00) shall be paid by each applicant for membership. Fifty (50) percent of each Initiation Fee paid, up to One Hundred dollars (\$100.00), to a Local Union shall be forwarded to the International Secretary-Treasurer before the tenth (10th) of the proceeding month.

(b) The minimum monthly dues of the Local Union shall be set forth by the International Constitution, Article XVIII, Section 2.

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

Section 3. No member shall take up a collection in the name of the Union or of any Section of the Union regardless of its purpose, without the prior approval of the Section or of the Executive Board if it is to be union wide. This shall not apply to collections taken by or nor candidates for Local office to defray the cost of their campaign.

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

Section 5. No member shall attend or participate in any way in any organized group, which discusses and makes decisions on matters of policy directly related to and part of the internal affairs of this Union.

Section 6. No member shall be allowed the floor at any meeting of the Transport Workers Union if he is visibly intoxicated.

ARTICLE XV

Section 1. Section Meetings shall be held once each month except June, July, and August. Ten (10) members, exclusive of the Officers shall constitute a quorum of a Section.

ARTICLE XVI **TO AMEND BY-LAWS**

Section 1. These By-Laws may be amended by reading proposed change or changes and receiving approval at two (2) consecutive regular meetings of the Executive Board and upon a vote of the majority of the members voting at the third (3) consecutive meeting of the Executive Board. After such action, the amendment shall be sent to the International Executive Council for approval and submitted to the membership for ratification.