

CONSTITUTION AND BYLAWS OF THE

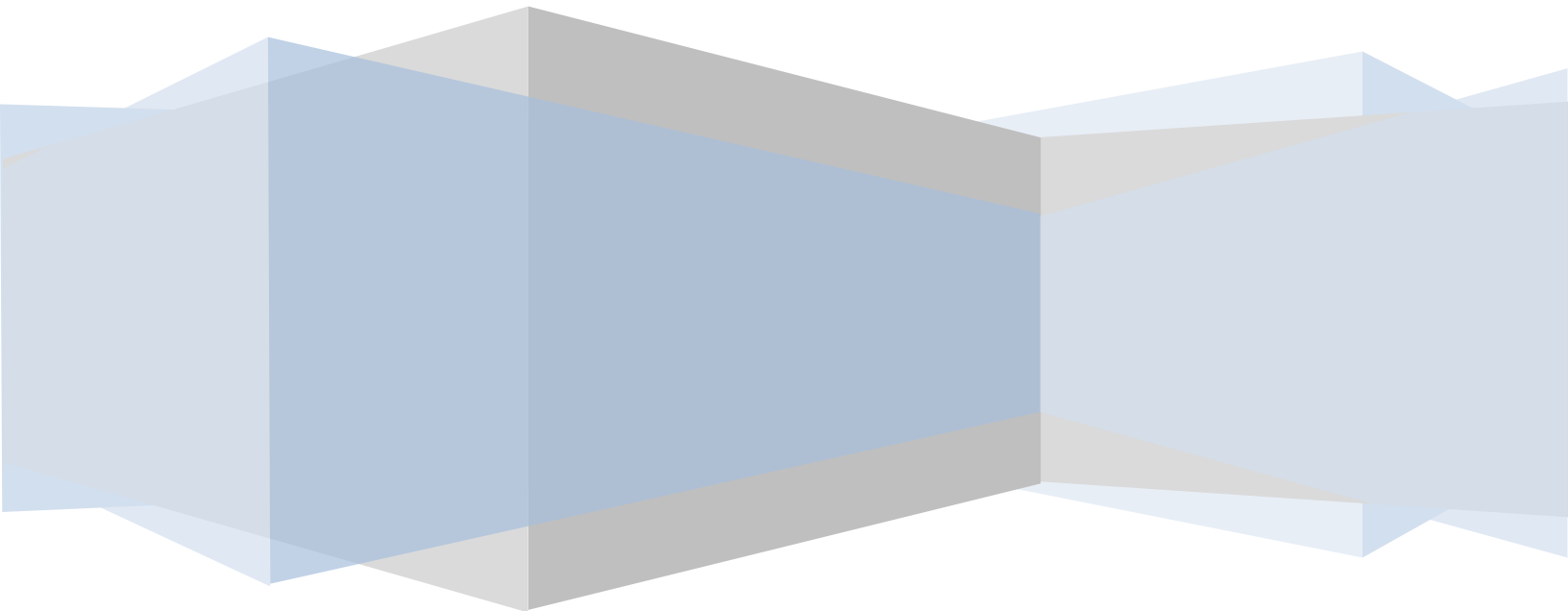
NorthEast Wisconsin Building and Construction Trades Council

Appleton Labor Temple

2828 N. Ballard Road, Suite 207

Appleton, WI 54911-8703

Revised 5/20/14



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CONSTITUTION AND BYLAWS TO GOVERN LOCAL COUNCILS

ARTICLE I

Name

This organization shall be known as the NorthEast Wisconsin Building and Construction Trades Council.

ARTICLE II

Jurisdiction

Section 1: The Council shall have complete jurisdiction over the Building and Construction Trades industry and all branches, divisions and subdivisions thereof, as enunciated in the Preamble to and as contained in Article I and Article IX, Section 2 of the Constitution of the Building and Construction Trades Department, within the following geographical area: Brown, Calumet, Door, Florence, Fond du Lac, Forest, Green Lake, Kewaunee, Langlade, Lincoln, Manitowoc, Marathon, Marinette, Marquette, Menominee, Oconto, Oneida, Outagamie, Portage, Price, Shawano, Sheboygan, Vilas, Waupaca, Waushara, Winnebago, Wood Counties, plus Clark and Taylor Counties east of State Hwy 13.

Section 2: The Council shall, in all its activities, cooperate with the officers and representatives of the Building and Construction Trades Department, and shall comply with all directives and instructions of the Department.

ARTICLE III

Membership

Section 1: Membership in this Council shall be confined to bona fide Building and Construction Trades Local Unions in good standing with International Unions affiliated with the Building and Construction Trades Department, which Local Unions must be accepted on application.

Section 2: All local Building and Construction Trades unions of National and International Unions affiliated with the Department within the geographical jurisdiction of this Council shall affiliate with this Council.

Section 3: Representation in this Council from local unions shall be as follows:

Less than 400 members	2 delegates
400 to 799 members	4 delegates
800 to 1,199 members	6 delegates
1,200 to 2,499 members	8 delegates
2,500 to 4,999 members	10 delegates
5,000 to 7,499 members	12 delegates
7,500 to 12,499 members	14 delegates
12,500 or more members	18 delegates

Plus one additional delegate for each 2,500 members over 12,500.

Where two or more Local Unions of a National or International Union form a District Council within the geographical jurisdiction of this Council, representation for the Local Unions may come through said District Council in lieu of direct representation from the Local Unions. In any event, where two or more Local Unions of the same National or International Union are affiliated with this Council, the said Local Unions shall be entitled to representation in this Council on the basis of their combined membership only.

Section 4: Delegates to this Council shall consist of duly elected or appointed members in good standing in their Local Unions for a period of not less than two (2) years. Alternate delegates from a Local Union or District Council shall be recognized by this Council. Alternate delegates shall not hold office in this Council. Not more than one (1) alternate delegate shall be allowed from each International Union. The President of the Department shall have the authority to waive this requirement in any case when, in the President's judgment, the circumstances warrant.

Section 5: Credentials of delegates and alternate delegates shall be furnished by Local Unions or District Councils on official stationery, and shall be signed by the President and Secretary and bear the seal of the Local or District Council.

Section 6: Whenever the territorial jurisdiction of a Union embraces or overlaps the geographical jurisdiction of two or more local Building and Construction Trades Councils, then such Union shall pay per capita tax to each local Building and Construction Trades Council, based upon the number of active building tradesmen residing in the geographical jurisdiction of each Local Council. Said Union shall have representation in each local Building and Construction Trades Council based upon the number of members residing in the geographical jurisdiction of each Council.

Section 7: A quarterly membership card properly issued by any State, Provincial or Local Council affiliated with the Building and Construction Trades Department shall be recognized as valid within the jurisdiction of this Council until its expiration date. Provided, however, that a member of any Local Union who takes advantage of this provision, if the member desires to continue to maintain their status within the jurisdiction of this Council beyond the end of any calendar quarter, must obtain the membership card prescribed by this Council from the affiliated Local Union of his trade, or if there is no Local Union of his/her trade affiliated, from this Council.

ARTICLE IV

Meetings

Section 1: The meetings of this Council shall be held at least once each month at such time and place as may be determined from time to time by majority vote of the delegates.

Section 2: Special meetings may be called by the President on written request of the Executive Committee or that of a quorum of delegates, which request shall set forth the business to be settled; provided, however, that no other business will be considered or acted upon except that specified in the call.

Section 3: A quorum shall consist of one-third of the delegates to the Council provided they represent one-half of the affiliated trades.

ARTICLE V

Officers

Section 1: The officers of the Council shall consist of President, Vice-President, Recording Secretary, Financial Secretary-Treasurer, Sergeant-at-Arms and five (5) Trustees. No two members of the same National or International Union affiliated with the Building and Construction Trades Department may hold office in the Council at any time. The Executive Committee shall consist of all elected officers.

Section 2: The officers of the Council shall be elected from among the delegates. In order to qualify to hold office in the Council, a delegate must be a member in continuous good standing in his/her Local Union for a period of at least two (2) years prior to his/her election or appointment as a delegate and must be a qualified building tradesperson. The President of the Department shall have the authority to waive this requirement in any case when, in the President's judgment, the circumstances warrant.

Section 3: The President shall preside at the meetings of the Council and preserve order, and shall enforce the Constitution and Bylaws of the Building and Construction Trades Department and of this Council, and their policies and decisions.

Section 4: The Vice-President, in the absence of the President, shall perform all duties pertaining to the office of President.

Section 5: The Recording Secretary shall keep a record of the proceedings of the Council and attest all orders signed by the President. He/she shall be custodian of the records and seal of the Council. He/she shall furnish each affiliated Local Union with a copy of the proceedings of the Council and he/she shall perform such other duties as may be required by this Constitution or assigned by the Council or the Executive Committee. Compensation for this position shall be twenty-five (\$25.00) dollars per meeting.

Section 6: The Financial Secretary-Treasurer shall receive all dues and money to be paid to the Council. He/she shall keep an accurate account of all moneys received and expended. He/she shall deposit all moneys or funds in such banks as the Council may designate. He/she shall issue all orders for the payment of bills ordered by the Council, the same to be attested by the signatures of the President and Financial Secretary-Treasurer. He/she shall make monthly financial reports to the Council. He/she shall notify all unions in arrears. He/she shall furnish such bonds as the Council may require and receive such salary as the Council, by motion or resolution, may determine, provided that it be not less than \$1.00 per year to insure the legality of his/her bond.

Section 7: The Sergeant-at-Arms shall maintain order and perform such other duties as the presiding officer may direct.

Section 8: The Secretary-Treasurer of the Building and Construction Trades Department may, at any time, either in person, or by deputy, examine and take possession of the books of the Council, and in case of the suspension or revocation of the charter or dissolution of the Council, all moneys and other properties in possession of the Council shall immediately be forwarded to the office of the Department in such manner as the Secretary-Treasurer shall direct.

Section 9: No delegate shall be eligible to hold any office in this Council unless his organization shall have paid all its indebtedness to the Local Council up to the first day of the current quarter. Any delegate who holds a full-time salaried office in the Council, and who would be ineligible to continue holding such office by reason of the first sentence of this section, shall have the right to apply for a special exemption from that provision to the President of the Building and Construction Trades Department. The President of the Department shall have the authority to waive this requirement in any such case when, in the President's judgment, the circumstances warrant.

Section 10: The Council shall elect officers for a term of two (2) years. The nominations and election of officers shall take place at a regular meeting in the month of January. Each delegate (or an alternate if the delegate is not present) must be allowed to cast his or her vote in the election of officers, with the number of delegates for each affiliate based on Article III, Section 3.

Section 11: The election shall be by secret ballot. In any election, the candidate receiving the most votes cast shall be elected.

Section 12: Officers shall hold office for the period of their election and until their successors are installed.

Section 13: Before the officers shall enter upon their duties, the President shall deliver the following obligation:

OBIDGATION OF OFFICERS

"I,, pledge my honor that I will, to the best of my ability, fulfill the duties devolving upon me as an officer of this Council, and that I will act in my assigned capacity for the general benefit of the members, and that I will turn over to my successor all funds, books, records and properties in my possession at the expiration of my official term."

Section 14: Vacancies in office shall be filled for the unexpired term by a majority vote of the Executive Committee.

ARTICLE VI

Executive Committee

Section 1: The Executive Committee shall govern on all matters and business between meetings of the Council.

ARTICLE VII

Trustees

Section 1: The Trustees shall have supervision over all funds and property of the Council. They shall require the financial officers to be properly bonded, and the funds of the Council to be placed in such bank as is selected by the Council as its depository, in the name of the Council. Such funds may not be withdrawn except by checks regularly drawn and signed by the proper officers. The Trustees shall audit the books of the Council at the end of each fiscal quarter and submit a statement of said audit to the Council not more than two weeks after the close of each quarter.

ARTICLE VIII

Finances

Section 1: The revenue of the Council shall be derived from affiliation fee of \$5.00, and from the payments by the affiliated local unions of a monthly per capita tax to be paid on all members who are engaged in building and construction, heavy and highway work and those who are engaged in fabrication, assembly, processing or supplying building materials within the geographical jurisdiction of the Council, and by assessments to cover unavoidable deficits which must be first approved by the President of the Department, and have approval by a referendum vote of the affiliated local unions. The charge per capita tax shall be at the discretion of the Council, and the Council shall supply membership cards to the affiliated local unions if they so request.

Section 2: Any affiliate that becomes three (3) months in arrears in per capita tax fees and assessments shall stand suspended from the Council and upon re-affiliation shall be assessed as follows:

Less than one year, said organization must pay all the past per capita tax owed plus a \$25.00 fine.

One year or more, said organization shall pay one (1) year per capita tax based on the rate and membership paid the year they left the Council and shall be fined \$25.00 per year they have been absent.

The Executive Committee upon unanimous consent may modify penalties (for good cause) and bring before the full Council for vote.

Section 3: Disbursements from the funds of the Council shall be for hall rent, stationery, printing, supplies, salaries and such other necessary expenses as may be approved by the Council.

ARTICLE IX

Membership Cards

This Council shall obtain all membership cards from either the State or Provincial Council or the Department.

ARTICLE X

Autonomous Rights

Affiliated National and International Unions shall have autonomy over the conduct of their respective Local Unions and members, and this Council shall not suspend or expel any affiliated Local Union without first obtaining approval of the Governing Board of Presidents of the Building and Construction Trades Department.

ARTICLE XI

Disciplinary Charge and Trial Procedure for Local, State and Provincial Building Trades Councils

Section 1: All charges against officers, representatives or delegates of the Council for a violation of or failure to comply with any of the provisions of the Constitution of the Building and Construction Trades Department or of the Bylaws of the Council, or for engaging in any activity or conduct which is contrary or detrimental to the welfare or best interests of the Department or this Council, shall be heard by a Trial Board consisting of members of the Executive Committee. (This section shall not be construed to conflict with the prerogative of the President of the Department to take action in certain cases, as provided by the rules Governing the Discipline of Local, State and Provincial Building and Construction Trades Councils and their Officers.)

Section 2: All such charges must be presented in writing, signed by the charging party and stating the act or acts on which the charges are based, including approximate relevant dates and places.

Section 3: Charges must be submitted to the Recording Secretary of the Council within sixty (60) days of the time the charging party first became aware, or reasonably should have been aware, of the alleged act or acts. (Charges against the Recording Secretary shall be submitted to the Council President.) The Recording Secretary shall immediately send a copy of such charges to the accused member at his last known address, together with a notice of hearing before the Trial Board, which notice shall set forth the time and place of the hearing. The hearing date shall not be less than two (2) weeks from the date of the notice.

Section 4: The Trial Board shall proceed with a hearing in the case no later than forty-five (45) days from the date the charges were filed. The Trial Board shall grant a reasonable delay to the accused when it feels the facts or circumstances warrant such a delay. If the accused willfully refuses to stand trial or attempts to evade trial, the Trial Board shall proceed to hear and determine the case just as though the accused were present. The Trial Board shall hear all evidence submitted from both the charging party and the accused and shall render a decision on the basis of such evidence. The Recording Secretary shall immediately send a copy of the Trial Board's decision to the accused.

Section 5: Decisions of the Trial Board may be appealed to the President of the Building and Construction Trades Department within thirty (30) days after the date of the decision of the Trial Board. All appeals of the decision of the President of the Department shall be made pursuant to Article XI of the Building and Construction Trades Department Constitution.

ARTICLE XII

Miscellaneous

Section 1: No Local Council may be disbanded without the approval of the Governing Board of Presidents of the Building and Construction Trades Department.

Section 2: This Council shall not discriminate against traveling or non-resident members that may be temporarily employed within their territorial jurisdiction.

Section 3: No Local Union affiliated with this Council shall institute or establish any picket line for jurisdictional purposes and this Council shall not authorize, institute or lend support to any such picketing.

Section 4: No Local Union affiliated with this Council shall institute or establish any picket line at a job site in support of an economic strike, unless the work of the striking union is being performed at a particular job site(s), and then only at such job site(s). This Council shall not recognize, authorize or lend support to picketing not in conformance with this Section. Nor shall this Council recognize, authorize or lend support to picketing by individuals, where such picketing is not authorized by the craft representing such individuals.

Section 5: Local Councils and all Local Unions affiliated with the Council shall incorporate in all collective bargaining agreements without change the following provisions:

"All jurisdictional disputes between or among building and construction trades unions and employers, parties to this agreement, shall be settled and adjusted according to the present plan established by the Building and Construction Trades Department or any other plan or method of procedure that may be adopted in the future by the Building and Construction Trades Department. Decisions rendered shall be final, binding and conclusive on the employer and union parties to this agreement."

Section 6: This Council shall notify the Department in writing of any Local Union failing or refusing to pay its dues or per capita tax into the Council for a period of three (3) consecutive months. Any such Local Union which fails or refuses to pay its dues or per capita tax into the Council for three (3) consecutive months shall automatically be denied the right to have their delegates or representatives present or participate in meetings of the Council, or the Executive Committee, subject to Article V, Section 9, above.