

BY-LAWS

of the

Transport Workers Union of Greater New York Local 100, AFL-CIO



Local Union Headquarters
195 MONTAGUE STREET
BROOKLYN, N.Y. 11201
WWW.TWULOCAL100.ORG

Adopted: June 25, 1959
Amended: December, 1969
Amended: September, 2000
Amended: July, 2008

I Name

The name of the Local Union shall be: The Transport Workers Union of Greater New York, Local 100.

II Officers

The Local shall elect triennially a President, an Administrative Vice President, seven Vice Presidents, a Secretary-Treasurer, and a Recording Secretary who shall serve for three (3) years. The Administrative Vice President shall also serve as an Article X trustee of the property of the Local.

III Duties: President

The President of the Local shall be responsible for the efficient conduct of the affairs of the Local Union. He/she shall preside at all meetings of the Local Union, the Executive Board and Joint Executive Committee. He/she shall sign all orders on the Financial Secretary Treasurer authorized by the Executive Board and shall countersign all checks issued by the Financial Secretary-Treasurer against the accounts of the Local Union on authorization of the Executive Board. He/she shall enforce the provisions of the Constitution. He/she shall appoint all committees not otherwise provided for. He/she shall perform such other duties as the Local Union, or the Executive Board, may assign to him/her, and he/she shall adhere to all decisions and directions of, and be subject to, the Executive Board. Except as otherwise provided, the President shall have the authority to appoint, direct, suspend or remove, such employees as he/she may deem necessary, and shall fix their compensation. The President's duties shall include negotiating and signing all contracts involving the Local. In the event that a vacancy occurs in the office of the President, the Executive Board shall designate one of the Officers to act as President for the unexpired term.

IIIA Administrative Vice President

The Administrative Vice President shall be a special assistant to the President among the Local's officers in the administration of the affairs of the Local. The Administrative Vice President shall perform such duties at the direction of the President and to such extent as the President shall determine. The establishment of this office shall not limit the authority of the office of the President under Article III.

IV Vice-President

(a) The Vice-Presidents shall assist the President in the discharge of his/her duties, to such extent as the President shall determine.

(b) Each Vice-President shall be elected only by the members of his/her Department. The Vice-Presidents shall work with the Division and Section officers to see to it that the policies of the Local Union are carried out by their Division(s).

(c) There shall be seven Local Vice-Presidents, one each from the following Departments: 1. Car Maintenance; 2. Station; 3. Maintenance of Way (Line Equipment-Signal; Track; Structure; Power); 4. Rapid Transit Operations (Train Operators; Conductor/Tower); 5. MABSTOA (Division One; Division Two; Maintenance, Clerical, and P&E); 6. NYCTA Surface Maintenance/Surface Operators; 7. Private Bus Lines.

(d) Local President may assign a Vice-President to additional responsibilities based on the needs of this Local and Local membership. However, a Vice President can only be removed from his/her Department responsibilities for cause by the Local Executive Board as provided in the TWU Constitution.

V Recording Secretary

The Recording Secretary shall keep correct minutes of all

meetings of the Executive Board and of the Joint Executive Committee. He/she shall issue the Call for all meetings of the Local Union, of the Executive Board and of the Joint Executive Committee, as directed by the Executive Board. He/she shall perform such other duties as are prescribed by the Constitution or by the Executive Board.

VI Financial Secretary-Treasurer

The Financial Secretary Treasurer shall receive all money paid into the Local Union and give official receipts for all monies received from a triplicate receipt book, supplied by the International Union. She/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. She/he shall make such detailed financial reports as the Executive Board shall from time to time require. She/he shall keep regular books and records of the Local finances and shall submit same for inspection and audit at the end of each quarter. She/he shall deposit all monies received in the name and number of the Local Union in such bank or banks as the Executive Board may direct. She/he shall sign all checks. She/he shall report quarterly to the Executive Board the monies received and paid out and the balance remaining on deposit, and shall deliver to her/his successor all monies and other property of the Local Union. On demand of the International Secretary-Treasurer, she/he shall deliver all books and records for examination and audit. She/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 suspended or expelled members. Before entering upon her/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, but not less than Five Hundred Dollars (\$500), the premium on said bond to be paid out of the funds of the Local Union. She/he shall be the custodian of the Seal of the Local Union.

VII Executive Committee

The Executive Committee shall consist of the Officers of the Local, and, between meetings of the Executive Board, shall be charged with the responsibility of carrying out and effectuating the policies and decisions of the Executive Board.

VIII Executive Board

(a) The Executive Board shall consist of the Local Officers and the number of Executive Board members provided for in the International Constitution. The Executive Board members shall be elected by and from the members of the respective Divisions and shall be allocated by the Executive Board so as to provide reasonably proportionate representation. Each Division shall be allocated at least one Executive Board member. The membership of the Local 100 Retiree Association shall be allocated one non-voting Executive Board member.

(b) The Executive Board shall be the supreme governing body in the Local Union, except only that any action, decision or rule of the Executive Board may be reversed or amended by the vote of the majority of the members of the Local Union voting either at a general membership meeting of the Local Union or through their respective Section or Division meetings.

(c) In addition to the other members of the Executive Board, there shall be a non-voting Retiree member. For purposes of electing a retiree to the Executive Board current members of the Local 100 Retirees Association shall be eligible to vote. Unless a Retiree Association member is also a dues paying member of TWU, pursuant to Article XIII Section 9 (b) of the International Constitution, he or she may only vote for this one Executive Board position. Each candidate for the Retiree Executive Board position must have been a dues paying member of the Retiree Association in continuous good standing with the Retiree Association for at least twelve (12) months prior to the month of nomination and must have been a member in good standing of Local 100 at the time of retirement.

IX Vacancies

(a) In the event that a vacancy occurs between elections in any office, other than in the office of President, the vacancy shall be filled by appointment by the Executive Board.

(b) In the event of a vacancy occurring on the Executive Board more than 18 months before the next election, it shall be filled within 60 days by an election among the members of the Division in which the vacancy occurred.

(c) Where a vacancy occurs during 18 months prior to the next regular election, it shall be filled by appointment by the Executive Board.

(d) If a vacancy occurs among the Officers of any Division or Section, the vacancy will be filled in the same manner as specified in Paragraphs (b) and (c), Section 9.

(e) The rules adopted for general elections shall be adhered to in all vacancy elections. Vacancy elections for all elected positions shall be conducted by the Election Committee.

X Trustees

The trustees of the property of the Local Union, subject to the direction of the Executive Board, shall be the President, Administrative Vice-President, Financial Secretary-Treasurer and Recording Secretary of the Local Union.

XI General Elections

(a) Officers and Executive Board members shall be elected every three years, in a secret mail ballot election, conducted so that the votes are counted no later than December 15.

(b) Prior to September 1 in the election year, the Executive Board shall appoint, and designate the Chair of the Elections Committee, consisting of three members, no two of whom shall be from the same Division and none of whom shall be a candidate for office in the election. The Elections Committee shall promptly meet and draw up proposed rules and regulations to govern nominations and elections and shall report back to a meeting of the Executive Board no later than September 15. The Executive Board, at such meeting, shall accept, modify or amend the rules and regulations proposed by the Elections Committee, and such rules and regulations as adopted by the Executive Board shall be published in an issue of the official organ of the Local Union. The rules drawn up by the Election Committee and adopted by the Executive Board shall include rules for Division and Section Elections. The Election Committee shall run all Division and Section elections, which shall be completed as near to December 15 as possible.

(c) A member who runs for the Office of the President, Secretary-Treasurer, Recording Secretary, Administrative Vice President, or Vice President of the Local in a General Election shall not be permitted to run for a Division or Section office in that General Election or within 18 months of the conclusion of the General Election.

(d) A member who has an application pending for a supervisory non-bargaining unit position, or who is serving in such a capacity for any employer which has a collective bargaining agreement with Local 100, even on an acting basis, shall not be eligible to run for or hold office.

(e) Delegates to the International Convention shall be allocated among the respective Divisions in accordance with the provisions of the International Constitution. The election of Convention delegates shall be by secret mail ballot pursuant to rules and regulations and procedures similar to those applicable to the election of Local Officers with the dates and time periods adapted to meet the requirements of the Convention Call.

Following 2009, the Local officers and Executive Board

members shall serve ex officio as delegates to the Convention. Beginning with the first General Election following 2009, at the time of the General Election, there shall be an election of additional delegates who shall serve as delegates with the Local officers and Executive Board members. The election of such additional delegates shall be by division, allocated on the basis of the proportion of members in each division. The top vote-getters in each division shall fill the Convention delegate slots of the division.

In connection with the 2009 election, upon a resolution adopted by the Executive Board on or before April 30, 2009, the Local may conduct the General election of officers and the election of Convention delegates at the same time. In the event that the Executive Board adopts such a resolution, the election shall be conducted in June 2009. The ballots for the Convention delegate election shall be opened promptly. The ballots for the General Election shall be secured and opened in December 2009.

(f) All disputes arising out of the nominations and elections shall be decided by the Elections Committee, or, if the Executive Board so chooses, by a neutral monitor designated by the Board. The Elections Committee shall make a full and complete report on the nominations and elections; shall certify the results of the elections; shall set forth a digest of each appeal made to the Elections Committee and the disposition thereof; and shall report any violation of the rules and regulations governing the nominations and the elections to a meeting of the Executive Board to be held no more than ten days after the date of the certification. An appeal from the certification by the Elections Committee of the results of the election may be made to the Executive Board. The Executive Board which receives the Elections Committee report shall be the outgoing Executive Board.

(g) The Executive Board shall take such appropriate action as it deems proper, upon any violation of the rules and regulations governing the nominations and elections reported by the Elections Committee, or otherwise made known to the Executive Board. The Executive Board may, after a proper hearing upon reasonable notice to the member, impose an appropriate penalty upon any member for a violation of the said rules and regulations.

(h) The newly elected officers and Executive Board members certified by the Elections Committee shall, subject to the decision on any appeals to the Executive Board, and to their taking the Oath of Office as prescribed by the International Constitution, assume office on the first day of January.

XII

Stewards

The Secretary of each Division and the Chair of each Section shall file with the Recording Secretary of the Local, and keep up to date, the names, addresses and telephone numbers of the stewards in his Division or Section.

XIII

Meetings

(a) The Executive Board shall meet at least once in each calendar month except when the members of the Executive Board dispense with meetings during the months of July and August. Additional meetings may be called by the Local President, and must be called by him within five days after the receipt of a petition signed by the majority of the members of the Executive Board.

(b) Each Section or Division shall meet at least once each month, on a date fixed by the members of the Section or Division, except when the members of the Section or Division dispense with meetings during the months of July and August. Special meetings may be called on the authority of the majority of the officers of the Section or Division, and must be called on petition of 20% of membership. Division and Section meetings may be combined; however, even if a Division meets once per month, a Section must hold its own separate meeting no less frequently than one time per quarter, at a time or times, and a place, convenient to the Section membership.

(c) All notices of Division or Section membership meetings shall list the business to be discussed. Only action taken on the agenda, as posted or mailed, shall be binding on the Section or Division membership.

(d) A quorum of ten must be present at the meeting in order to constitute business of the Section or Division.

(e) To be eligible for nomination to any Division or Section office or delegate to our International Convention, a member must have attended at least five (5) of the combined regular meetings of her/his Section and Division held during the twelve month period immediately preceding the month in which the nominations are made. However, notwithstanding the above, a member shall be eligible for nomination to any of these offices if she/he has attended at least fifty (50) percent of the combined regular meetings of her/his Section and Division held during the twelve (12) month period immediately preceding the month in which the nominations are made.

(f) All Division and Section Officers shall be required, as a duty of their office, to attend at least five (5) Division and/or Section meetings during any twelve-month period. Failure to do so shall be grounds for suspension from and removal from office.

(g) The local shall conduct no less than one local-wide meeting each year. Such a meeting may be held in one session or in two sessions, one session in the a.m. and one session in the p.m.

XIV Committees

The President, with the approval of the Executive Board, shall from time to time appoint Committees that may be necessary to assist the Local Officers in carrying out the functions of the Local to better service its membership, i.e. COPE, Political Action, Membership, etc.

XV Literature

All 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 Executive Committee before being posted or distributed. To participate in

the posting, distribution or publication of unauthorized material may constitute a punishable offense against the Union.

XVI Finances

(a) At the beginning of each calendar year, the Local Secretary-Treasurer shall prepare an estimated budget for the Local Union. This budget shall be itemized showing clearly and simply the intended expenditures and anticipated income.

(b) The Local Secretary-Treasurer shall report at least once each two months the comparisons of estimated income to actual income with a report of expenses to the Executive Board.

(c) The written approval of the Executive Committee shall be required before any member is taken off the job to work for the Union, except that in an emergency a member may be taken off the job with the oral approval of the President.

(d) The Local Union shall not be responsible, and no reimbursement shall be made, for any expense incurred in the name of the Local Union or of any Division or Section thereof, without approval of the President.

(e) (1) All collections of funds, from members, by union officers, representatives and staff, are subject to rules set by the Executive Board. This shall apply to collections for retirement dinners, charities, benevolent organizations, or to provide assistance to a member or members.

(2) When union officers, representatives or staff are involved in the collection of funds from members, the purpose of such collections shall be clearly stated to the members being solicited and the use of such funds shall be limited to the purposes stated.

(3) Records of collections from members and expenditures from such collections must be kept by those officers, representatives, and/or staff organizing a collection among the

membership, and such records must be available for review by any member who makes a contribution, or by the Office of the President, or by the Financial Secretary Treasurer.

(4) No union vendor shall be solicited for any cause by union officers or staff, including solicitations for retiree dinners, without the approval of the Financial Secretary Treasurer or the President.

XVII Grievances

(a) The Division or Section officers shall handle grievances within the Division or Section.

(b) The grievance shall be received by the Shop Steward who will endeavor to solve it at its source. Failing this, the grievance will be turned over to the Chair. The Chair will handle the problem as the Supervisor of their unit. If the grievance is unresolved, it will be appealed to the Chair or Representative. In the event of further difficulty in settling the grievance, it will be submitted to the Local Officers and, if necessary, to the Executive Board for action.

(c) A written record shall be kept of all grievances and their disposal at the shop and Representative levels.

(d) No expenses for time off by the Grievance Committee shall be incurred without the prior approval of the Executive Committee of the Local or of the President.

XVIII Miscellaneous

(a) No matter may be submitted to arbitration without the prior approval of the Executive Committee or of the President.

(b) Where a member of the Union is charged with a crime or other offense and the Executive Committee is satisfied that the interests of the Union require it, they shall refer such case to the counsel

for the Local Union so that the proper defense will be provided.

(c) Each Section/Division may establish criteria that are fair and equitable to effectively administer the affairs of that Section/Division. These criteria include, but are not limited to, specific qualifications for nominations and/or elections of officers to insure proportionate title representation with each Section/Division. These criteria must be approved by a majority vote of the members within that Section/Division at a meeting convened to address these criteria and must not be in conflict with the Local's By-Laws or with the interest of the Local as a whole as determined by the Local Executive Board. These policies must not be in conflict with the TWU Constitution.

(d) No elected local, division or section officer shall cause or attempt to cause the splitting off from the Transport Workers Union for representation by another union of any workers or group(s) of workers represented by Local 100.

(e) Actions, including picket lines, rallies and meetings called by a division or divisions must be:

a. Clearly described, on all literature, as the action of a particular division or group of divisions.

b. Approved by the Division Committee of each division involved prior to the date the action is taken.

(f) Actions called in the name of Local 100 or advertised as union-wide, and the use of the Local's resources for such actions, must be authorized either by the President of Local 100 or by the Executive Board.

XIX

Obligation of Members

(a) No member shall by-pass the duly elected grievance committee to handle his/her own or another's grievance.

(b) No member shall perform his/her duties on the job

in such a manner as to place a further burden on his/her fellow workers, nor shall he/she disregard any rules adopted by the membership in his/her Division or Section.

(c) No member shall take up a collection in the name of the Union and any Section or Division of the Union, regardless of its purpose, without the prior approval of the Section, Division and the Executive Board, if it is to be Unionwide. This shall not apply to collections taken by or for candidates for Local office to defray the cost of their campaigns.

(d) No member shall make known the internal affairs of the Union to non-members.

(e) No member shall attend or participate in any way in any organized group not affiliated with the AFL-CIO which discusses and makes decisions on matters of policy directly related to and part of the internal affairs of this Union.

(f) If any member or group of members wish to direct any matter to the attention of the Executive Board, they shall submit their request to the Recording Secretary, who shall submit such request to the Executive Board at its next regular meeting.

XX Strikes and Job Action

(a) While a contract is in effect, whether during the original term or during any agreed on oral or written extension, within the jurisdiction of the Impartial Chair, all disputes arising out of the contract shall be duly submitted to the Impartial Chair for final and binding decision as provided below. No Local Officer or member shall approve, promote or participate in, or in any way support, any work stoppage, strike or other form of job action which violates the Local Union's agreement setting up an Impartial Chair. Violations of this rule shall be punishable as provided below.

(b) Before a strike, work stoppage or other form of job action is authorized or permitted in any Division or Section, the representative, or other Union officer in charge of the Division or Section, shall have kept the Local President regularly informed of the progress of such representative's efforts to resolve the dispute peacefully.

(c) The representative or other Local officer assigned to the Division or Section shall confer with the Local President and bring with her/him to negotiations with the particular company the Local President or her/his designee, before such business representative or officer recommends strike action to the Executive Board.

(d) The representative or other Local officer in charge of the dispute shall make a full and detailed report to the Executive Board, which shall thereupon report to the International President before a strike vote is taken.

(e) The Executive Board shall conduct a vote, required by Article XXVI of the Constitution, if, in its opinion, strike action is deemed advisable.

(f) In the event that a majority of the employees voting approve of the proposed strike action, then it shall be up to the Executive Board, with notice to the International President, to make the final decision as to whether strike action is warranted and, if it is, the effective hour of the strike.

(g) Should any Local officer, Section or Division officer, representative, shop steward or other representative, promote, recommend, approve, participate in, or in any way support a work stoppage, strike or other form of job action in violation of any of the foregoing rules, he/she shall:

1. Automatically forfeit his/her office;
2. Stand automatically suspended as a member of the Union pending trial;

3. Stand trial for such activity and, if found guilty, may be suspended or expelled from membership, or may incur such other punishment as the Executive Board shall deem proper.

(h) Any member engaged in such prohibited activity shall be subject to summary suspension from membership, pending trial by the Executive Board and, if found guilty after trial, be subject to the penalties set forth in No. 3 above.

(i) All safety crews allowed to remain at work during a strike must contribute half of their wages earned to a special strike fund as an assessment. Such fund is to be used solely for welfare purposes of other striking members.

(j) Should the members employed by an employer be on strike, all Local, Division and Section officers on leave from that employer, and on the Local's payroll, shall receive only the same pay and benefits as the members who are on strike.

XXI Wages

The wage rates for officers and representatives in effect on August 1, 1978 shall remain in effect, except that the Executive Board shall have the authority to grant wage increases thereafter when the members in the largest collective bargaining unit represented by the Local receive increases under their contract. In no event shall such increase exceed, in terms of percentage, the increase paid to the members under said agreement.

XXII Amendments

These By-Laws may be amended by the Executive Board with the approval of the majority of the members of the Local Union voting either at a general membership meeting of the Local Union or through the respective Section or Division meetings.

XXIII

Division or Section Welfare Funds

No member of the Union may participate in, contribute to, serve as an officer of, or accept benefits from any welfare fund, association or organization which uses the name of this union or of any section of the union unless such fund, association or organization complies with the following requirements:

1. Properly adopts and adheres to written by-laws which have been submitted to and approved by the Executive Board or a duly designated sub-committee thereof.

2. Such by-laws shall require

(a) that the funds be deposited in a bank and drawn upon only by check signed by two officers, one of which shall be the Treasurer.

(b) that the Treasurer be properly bonded in an amount at least equal to the potential assets of the fund.

(c) that quarterly statements of receipts and itemized expenditures be made available to its members and a copy filed by registered mail with the Secretary-Treasurer of the Local Union.

3. Submits its books and records for examination and audit by the Executive Board, or a duly designated subcommittee thereof, at least once a year, and more often should the Board or sub-committee so require.

XXIV
Divisions

(a) The Local shall consist of the following Divisions:

| | |
|-------------------------|------------------------------|
| NYCTA | MABSTOA |
| Surface Maintenance | Division One |
| Surface Operators | Division Two |
| Car Maintenance | Maintenance, Clerical, Plant |
| Train Operators | and Equipment |
| Conductor/Tower | |
| Station | |
| Line Equipment - Signal | |
| Track | |
| Structure | |
| Power | |

MTA Bus - all Sections

School Bus and Paratransit - all Sections
Private Operations - all Sections

(b) Each Division shall elect a Chair, one or more Vice Chairs as the Executive Board shall determine, and a Secretary in December every three years. The Division officers shall constitute the Division Executive Committee which, between meetings of the Division, shall administer the affairs of the Division.

(c) While the title of each Division in general identifies the particular class or classes of employees who constitute the Division, the Executive Board shall have the power to make such changes in the Divisional structure as the interests of the members may require.

(d) Each Division shall be entitled separately to nominate and elect members of the Executive Board on the basis of one (1) Executive Board member for every one thousand (1,000) members or major fraction thereof in excess of one thousand (1,000). Each Division shall elect at least one (1) member to the Local Executive Board.

(e) A member who has an application pending for a supervisory non-bargaining unit position, or who is serving in such a capacity for any employer which has a collective bargaining agreement with Local 100, even on an acting basis, shall not be eligible to run for or hold office.

XXV Sections

(a) Sections may be established by the Executive Board in those Divisions where the effective representation of the membership makes it desirable. The area covered by each Section shall be determined by the Executive Board, but, unless special circumstances require it, no Section shall consist of fewer than 100 members.

(b) Each Section shall elect its officers in December every three years.

(c) A member who has an application pending for a supervisory non-bargaining unit position, or who is serving in such a capacity for any employer which has a collective bargaining agreement with Local 100, even on an acting basis, shall not be eligible to run for or hold office.

(d) The Section officers shall constitute the Section Executive Committee which, between meetings of the Section, shall administer the affairs of the Section.

(e) Depot Committees shall be considered Section Committees under these Bylaws.

(f) Minutes must be kept of all Section meetings by the Section Recording Secretary. Those minutes must be filed with the Local Recording Secretary.

(g) Attendance must be kept of all Section meetings, even if a quorum is not present. The Section Recording Secretary shall utilize a form provided by the Local's Recording Secretary and file the original attendance form with the Local's Recording Secretary within 48 hours of the meeting.

(h) Failure to keep minutes and properly maintain attendance records shall be grounds for removal of a Section Chair and Recording Secretary.

(i) The Section Chair shall be responsible for assuring that all employees working in his/her section's jurisdiction are pre-

sented with union membership cards and that all documents needed to collect dues from those members have been properly executed and forwarded to the union and the employer.

(j) Section meetings shall be held at a location and at times which are convenient to members.

XXVI

Contract Negotiations

(a) Between the seventy-fifth and the one hundredth day prior to the expiration date of any contract, or prior to the reopening date in any contract, the members covered by such contract shall, either in their separate Divisions or Sections, consider proposals for a new agreement and submit those approved by the Division or Section to the Local Financial Secretary-Treasurer.

(b) Not later than the seventieth day prior to such termination or reopening date, the proposals from all of the Divisions or Sections shall be considered by the Contract Policy Committee and it shall be the duty of the Contract Policy Committee to draw up an integrated and attainable Contract Program.

(c) Each Contract Policy Committee shall consist of the Local Officers, the Division Officers and the Executive Board members of the Division covered by the contract.

(d) Not later than the sixtieth day prior to such termination or reopening date, the Executive Board shall consider the Contract Program submitted by the Contract Policy Committee. The final form and content of the Contract Program to be submitted to the Employer shall be determined by the Executive Board.

(e) Each negotiating Committee shall consist of the Local Officers and the Chairs of the Divisions covered by the contract.

(f) The Negotiating Committee shall keep the Contract Policy Committee informed and shall consult with the Contract Policy Committee on the progress of negotiations and shall call upon the Contract Policy Committee for such assistance as it may need during negotiations.

(g) The Negotiating Committee shall consult with and have the advice of the Contract Policy Committee on any proposed contract before same is submitted to the Executive Board.

(h) No proposed contract shall be valid or binding unless first approved by the Executive Board and then ratified by the majority of the members covered by it, and any contract so approved and ratified and in conformity with Article XXV of the International Constitution, shall be binding upon the Union and its members.

XXVII

Recall and Removal from Section or Division Office

(a) In the event that thirty per cent (30%) or more of the members of any Section or Division sign and file with the Recording Secretary of the Local a petition requesting the recall of any or all of the officers of such Section or Division, the Local President, shall, within ten (10) days after receipt of such petition, call and, either in person or by a duly designated representative, preside over a special meeting of the members of such Section or Division to be held not less than ten (10) nor more than thirty (30) days after the date of such call for the sole purpose of voting on such recall. The call shall be by letter stating the purpose of the meeting and the date of the call shall be the date of the mailing of the letter. For any officer to be recalled, his/her recall must be voted by more than fifty per cent (50%) of the members in his/her Division or Section. Should any officer of a Section or Division be recalled, the vacancy shall be filled at a date and place set by the Executive Board.

(b) Any officer of any Section or Division may be removed by majority vote of the Executive Board after a hearing on specific charges of misfeasance or malfeasance in office. The accused officer shall be served with written notice of the specific charge or charges at least seven (7) days before the hearing thereon and he/she shall be allowed representation at such hearing by any other member of the Union.

XXVIII
Joint Executive Committee

The Joint Executive Committee shall consist of the officers of the Local, the members of the Executive Board, the officers of each Division, and the Chair and Secretary of each Section.

XXIX
Judicial Panel

(a) All charges, once sent to a trial committee by the Executive Board, shall be referred to the Judicial Panel.

(b) The President shall nominate, and the Executive Board shall confirm the appointment of, a Judicial Panel, which shall consist of a Chair, a Co-Chair, and one member from each Department which has a Vice President. Judicial Panel members shall serve through the term of the Executive Board which confirmed their appointment. Members of the Panel may not be removed, except for cause; such removal must be by vote of the Executive Board.

(c) The Judicial Panel Chair or Co-Chair shall serve on each trial committee. With respect to each trial, the Chair shall designate the identities of the three members to serve as trial committee members and one to serve as an alternate each time charges are referred to a trial committee by the Executive Board. Such designations shall be subject to Executive Board approval. Should a trial committee member be successfully challenged for cause, the Chair shall appoint another member, subject to Executive Board approval. No trial committee member shall come from the same division as a charged or charging party. Union paid staff shall not serve on the Judicial Panel.

(d) Judicial Panel members shall be paid lost time. Meetings of the Judicial Panel acting as a trial committee shall be held at times convenient to the Judicial Panel members.

