

# **CONSTITUTION OF THE METROPOLITAN WASHINGTON COUNCIL, AFL-CIO**

**October 24, 2001**

**Amended February 24, 2003**

**Amended June, 2003**

**Amended November 18, 2015**

**CONSTITUTION OF THE**

**Metropolitan Washington Council, AFL-CIO**

## **PREAMBLE**

The establishment of this Area Labor Council as a subordinate unit of the American Federation of Labor and Congress of Industrial Organizations is an expression of the desire of the labor movement in the Washington metropolitan area to participate fully in the achievement of the objectives of the parent Federation as it seeks to fulfill the hopes and aspirations of the working people of all America.

Together with the AFL-CIO we seek the fulfillment of these hopes and aspirations through democratic processes within the framework of our constitutional government and consistent with our institutions and traditions.

At the collective bargaining table, in the community, in the exercise of the rights and responsibilities of citizenship, we shall responsibly serve the interests of all American people.

We pledge ourselves to the more effective organization of working men and women; to the securing to them of full recognition and enjoyment of the rights to which they are justly entitled; to the

achievement of ever higher standards of living and working conditions; to the attainment of security for all the people; to the enjoyment of the leisure which their skills make possible; and to the strengthening and extension of our way of life and the fundamental freedoms which are the basis of our democratic society.

We shall combat resolutely the forces which seek to undermine the democratic institutions of our nation and to enslave the human soul. We shall strive always to win full respect for the dignity of the human individual whom our unions serve.

With divine guidance, grateful for the fine traditions of our past, confident of meeting the challenge of the future, we proclaim this constitution.

## ARTICLE I NAME AND AFFILIATION

This organization shall be known as the Metropolitan Washington Council, AFL-CIO, hereinafter referred to as the Area Labor Council. It shall at all times maintain affiliation with the American Federation of Labor and Congress of Industrial Organizations and conduct all of its affairs in accordance with the Constitution of the AFL-CIO and the **Rules Governing AFL-CIO Area Labor Councils and Central Labor Councils** of that organization. As a chartered organization of the AFL-CIO, this Area Labor Council shall conform its activities on state matters to the policies of the state AFL-CIO, and on national affairs to the policies of the AFL-CIO.

## ARTICLE II PURPOSE

The purpose of this Area Labor Council shall be to promote, through appropriate activities in the geographical area covered by the charter of the Area Labor Council, the principles of the American Federation of Labor and Congress of Industrial Organizations, including the following:

- (a) To assist in furthering the appropriate objectives and policies of the AFL-CIO, or of organizations affiliated with the AFL-CIO, so long as their policies and objectives are not inconsistent with the objectives or policies of the AFL-CIO;
- (b) To lend all possible assistance to the organizing activities of local unions and their parent national or international unions or organizing committees affiliated with the AFL-CIO;
- (c) To provide aid, cooperation and assistance to affiliated local unions and other affiliated bodies in their common and individual endeavors;
- (d) To propose, support and promote legislation favorable to, and oppose legislation detrimental to the interest of workers and organized labor;
- (e) To encourage workers to register and vote, to exercise their full rights and responsibilities of citizenship, and to perform their rightful part in the political life of the local, state and national communities;
- (f) To serve as a means of exchanging information among affiliated bodies on matters of common interest;
- (g) To engage in such other activities as are consistent with the principles set forth in the Constitution of the AFL-CIO and the policies

of the AFL-CIO including the ***Rules Governing AFL-CIO Area Labor Councils and Central Labor Councils.***

### ARTICLE III HEADQUARTERS

Headquarters of the Council shall be located as designated by the Executive Board.

### ARTICLE IV COMPOSITION AND DELEGATES

**Section 1.** This Area Labor Council shall be composed exclusively of the following organizations within the geographic boundaries of Maryland and the District of Columbia covered by the Area Labor Council's Charter and shall conform to the membership requirements of this organization:

District of Columbia and in Maryland the counties of Calvert, Charles, Montgomery, Prince George's and St. Mary's.

(a) Local Unions of National and International Unions and organizing committees affiliated with the AFL-CIO, and Local Unions chartered directly by the AFL-CIO;

(b) Local Councils chartered by the Trade and Industrial Departments of the AFL-CIO;

(c) Joint Boards, District Councils and similar subordinate organizations which are duly chartered by an affiliate of the AFL-CIO;

(d) Associate Member Organizations as approved by the AFL-CIO;

(e) Chapters of AFL-CIO constituency groups, as defined in the ***Rules Governing AFL-CIO Area Labor Councils and Central Labor Councils***, that are chartered by a national AFL-CIO constituency group. No AFL-CIO constituency group, or its delegate, may be present for or have voice or vote in any meeting or proceeding concerning the endorsement of a political candidate or other partisan political activity concerning public elected office by this area labor council, nor may any AFL-CIO constituency group, or its delegate, be present for or have voice or vote in any meeting or decision of this area labor council's Committee on Political Education.

(f) A local union retiree club. Where two or more local union retiree groups exist, affiliation shall be through a Union Retiree Council.

**Section 2.** No organization that is unaffiliated with the AFL-CIO or with an affiliate of the AFL-CIO or which has been suspended from the AFL-CIO shall be permitted to affiliate or be retained as an affiliate. No organization officered, controlled or dominated by persons whose policies and activities are consistently directed toward the achievement of the program or purposes of authoritarianism, totalitarianism, terrorism and other forces that suppress individual liberties and freedom of association shall be permitted to affiliate or be retained as an affiliate.

**Section 3.** Affiliated local unions in good standing shall be entitled to representation based on per capita tax paid according to the following schedule:

100 members or less-1 delegate  
101- 200 members - 2 delegates

201- 300 members - 3 delegates  
 301- 400 members - 4 delegates  
 401- 999 members - 5 delegates  
 1000 members - 6 delegates  
 2000 members - 7 delegates  
 3000 members - 8 delegates  
 4000 members - 9 delegates  
 5000 members -10 delegates

For each additional 5000 members or major fraction thereof one (1) additional delegate.

**Section 4.**

- (a) Affiliated subordinate bodies other than local unions affiliated with the area labor council or central labor council shall be allotted one (1) delegate and one (1) vote for each such organization; such organizations may not vote on behalf of local unions by proxy or otherwise.
- (b) A Union retiree club shall be entitled to one (1) delegate and one (1) vote. A Union Retiree Council shall be entitled to three (3) delegates and three (3) votes.

**Section 5.** No person shall be eligible to serve as a delegate unless he or she is a member of a local union affiliated with this Area Labor Council or is a National or International Union representative regularly servicing such an affiliated union.

**Section 6** Disqualifications

- (a) No person shall be eligible to serve as a delegate who holds a salaried position, or any other position of administrative or executive authority, in a union or any subordinate branch of a union which has been suspended or expelled from the AFL-CIO.
- (c) No individual shall be eligible to serve as an officer, member of the executive board or committee or other governing body of, or any other committee of, or as a delegate from, or as a representative, agent or employee of this Council who consistently pursues policies and activities directed toward the achievement of the program or purposes of authoritarianism, totalitarianism, terrorism and other forces that suppress individual liberties and freedom of association. No person shall be eligible to serve in any of the aforementioned capacities who holds a salaried position or any other position of administrative or executive authority in a union, or any subordinate branch of a union, which is unaffiliated with or has been suspended from the AFL-CIO.

**Section 7.** No delegate shall be seated except upon presentation of a proper credential from an affiliated organization in good standing, which credential shall be examined and attested to by the Credentials Committee as to the eligibility of the delegate and the standing of the organization sending the delegate. The report of the Credentials Committee shall not be made until the Committee shall have had adequate opportunity to examine the credential and to ascertain its validity, but in no case shall the report be delayed beyond the meeting following the meeting at which the credential was first presented.

**Section 8** Absence from three (3) consecutive meetings of the Area Labor Council without an acceptable excuse shall be sufficient grounds for declaring a delegate's seat vacant, following which the Secretary shall notify the delegate's organization and request that a new delegate be sent.

**Section 9.** This Area Labor Council will undertake all

reasonable efforts to ensure diversity of representation at all levels.

## **ARTICLE V VOTING**

**Section 1.** Except on roll call votes, each delegate shall be entitled to one vote. Voting shall be by voice vote or division of the house (show of hands or standing vote) unless a roll call vote is properly demanded by the required number of delegates as provided for in Sec. 2 of this Article. No delegate shall be permitted to cast the proxy of another delegate and no delegate shall be allowed to represent more than one organization.

**Section 2.** A roll call vote shall be held on any pending question, including election of officers, upon demand of thirty percent (30%) or more of the delegates present.

**Section 3.** The number of votes to which a local union is entitled on roll call votes shall be the average number of members as determined in accordance with Section 4 of this Article.

**Section 4.** The average membership of a local union shall be determined on the basis of per capita tax payments for the first twelve of the immediately preceding thirteen months. The average membership of a local union affiliated for less than this twelve months period shall be computed from the month of affiliation, and shall be determined by dividing the total per capita tax paid for all months affiliated by twelve.

**Section 5.** The votes of a local union shall be divided equally among all its accredited delegates present and each delegate shall be entitled to cast only his/her assigned number of votes. To facilitate the calling of the roll, one delegate may be designated to cast all of the votes of the delegates representing the local union, provided that if any delegate shall challenge the correctness of the votes so cast, the individual delegates of that local union shall be polled.

**Section 6.** The Secretary shall maintain, on a current basis, the official roll of delegates, showing the average membership of each local union as established under the provisions of Article V, Section 3 and 4.

## **ARTICLE VI MEETINGS**

**Section 1.** Regular meetings of the Area Labor Council shall be held on the Third (3<sup>rd</sup>) Monday of each month at 6:30pm at such place as designated by the Executive Board. Due notice shall be given all affiliated organizations and/or delegates of any change of meeting time and place.

**Section 2.** Special meetings for consideration of specified matters shall be held when ordered by a regular meeting of the Area Labor Council or by a vote of the Executive Board. Written notice of the special meeting shall be given to all affiliated organizations and/or to each delegate at least five days in advance of the meeting. The matter, or matters, for consideration at the special meeting shall be stated in the notice and no other business shall be transacted.

**Section 3.** A quorum for the transaction of the business of a meeting shall consist of thirty (30) delegates representing fifteen (15) different affiliated local unions.

**Section 4.** The President of the AFL-CIO, and his/her designees, shall have the right to participate and have a voice in all labor council activities, meetings, and deliberations.

## **ARTICLE VII OFFICERS**

**Section 1.**

(a) The officers of the Area Labor Council shall consist of a President, a 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> Vice President, a Secretary and a Treasurer. The board shall consist of seventeen (17) members, one of whom shall be a representative of an AFL-CIO Constituency Group, elected pursuant to Article VIII, Section 4. There shall be three (3) trustees. The officers, board members and trustees together shall constitute the Executive Board.

(b) In accordance with the **AFL-CIO Ethical Practices Code**, no person who is convicted of any felony involving the infliction of grievous bodily injury, any crime of dishonesty or any crime involving abuse or misuse of such person's position, or employment in a labor organization or an employee benefit fund shall serve as an officer, executive board member, or managerial employee of the Area Labor Council.

**Section 2.** Each officer and executive board member, at the time of the election and at all times during the term of office, shall be a duly-accredited delegate from an affiliated organization. If the officer or executive board member ceases to be a delegate, the office held shall thereby become vacant and a special election provided for under Article VII, Section 7 in this constitution shall be held to fill the vacancy.

**Section 3.** The term of office shall be three (3) years and each officer and executive board member shall hold office until a successor has been elected and installed.

**Section 4.** Not more than one (1) delegate from the same local union, nor more than three (3) delegates from different locals of the same National or International Union, shall be eligible to hold office at the same time.

**Section 5.** In between regular meetings of the Executive Board, an Executive Committee to be comprised of the President, Secretary, Treasurer, and 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> Vice-Presidents may meet to conduct Area Labor Council business, pursuant to the AFL-CIO Rules Governing State Federations and Central Labor Councils.

## **ARTICLE VIII ELECTIONS AND VACANCIES**

**Section 1.** At the meeting prior to the nomination of officers, the president shall nominate, subject to Executive Board approval, an Elections Committee for the purpose of supervising all aspects of the nominations and elections process,

**Section 2.** The election shall be held at the regular meeting in the month of February every third year, effective 2003. Nominations shall be opened at the meeting in the preceding month. The election shall not be postponed except for absence of a quorum or by order of the AFL-CIO. A postponed election shall be held at the first succeeding regular meeting with due notice being given all affiliated organizations, or as may be directed by the AFL-CIO.

**Section 3.** No less than 45 nor more than 120 days prior to an election of labor council officers, the Council shall compile and notify each affiliated organization of the availability of a list containing the following information: (i) the name and address of each of the Area Labor Council's elected officers (including executive board members); (ii) the name and mailing address of each of the organizations affiliated with the Area Labor Council; (iii) the name of each of the affiliated organization's principal officers; (iv) each organization's projected per capita voting strength and delegate entitlement at the election; and (v) to the extent available, the names and mailing

addresses of the delegates. Officers of organizations affiliated with the local area labor council shall also be entitled to inspect at the place where the records are kept and to make their own notes concerning the most current underlying records relating to the information included in the list provided above. *This Area Labor Council shall also compile and notify each affiliated organization of the availability of a list containing the information set forth above in each non-election year in the same month in which the information was last provided when it attains a membership of 80,000.*

**Section 4.** Recommendations for nominations for the constituency group Executive Board position, pursuant to Article VII, Section 1(a), shall be made by the constituency groups affiliated with the Metropolitan Washington Council, AFL-CIO. The nominee must be a member of an affiliated local union.

**Section 5.**

(a) The election for uncontested offices may be by acclamation. The election for contested offices shall be held by voice vote, division of the house or roll call. It shall require a majority to elect. The three (3) candidates for Trustee receiving the greatest number of votes shall be declared elected, subject to the restriction in Section 4 of this Article, provided, each has received a majority of the votes cast.

(b) In cases where no candidate for a particular office receives a majority on the first vote, all but the two candidates for that office receiving the greatest number of votes shall be eliminated and a second vote shall be taken; except that in case a second vote is required for election of Trustees, the candidates receiving the fewest votes shall be eliminated so as to leave two candidates for each unfilled Trustee's position.

(c) In the event an election results in a violation of Article VI, Section 4, the person involved who is elected to the office with highest rank shall be declared elected and another election shall be held for the other office or offices affected. For purposes of this subsection the rank of the offices shall be determined by the order named in Article VII, Section 1. In case the violation involves candidates for Trustee, the rank among the Trustees shall be determined by the number of votes received.

(d) Run-off elections under subsection (b) or subsection (c), or which are made necessary by a tie vote, may be deferred until the next regular meeting by majority vote of the Area Labor Council.

**Section 6.** A roll call on elections may be conducted orally, or it may be conducted by written or printed ballots where deemed desirable to expedite the holding of the election, provided each ballot clearly shows the name, organization and number of votes of the delegate casting the ballot. Such ballots shall become part of the records of the Area Labor Council and shall be preserved and available for examination by any delegate or officer of an affiliated organization for a period of not less than six months.

**Section 7** Installation of officers and executive board members shall be held at the conclusion of the election, except that an officer-elect who is unavoidably absent shall be installed at the earliest possible meeting following the election, or may be given the obligation at a meeting of the Executive Board.

**Section 8.** In the event of a vacancy in any office, the position shall be filled by a special election with nominations at the next meeting following the vacancy and election at the succeeding meeting.

**Section 9.** A protest of the election of any officers or executive board members of an Area Labor Council may be made by a candidate for office or an affiliated organization to the Elections Committee within 30 days of the certification of the election. The Election Committee shall review the protest in accordance with the appropriate provisions of Article X of this Constitution.

## **ARTICLE IX DUTIES OF OFFICERS**

**Section 1.** The President shall: be the presiding officer of all meetings of the Area Labor Council and of the Executive Board; countersign all orders for the payment of funds of the area labor council; exercise general supervision over affairs and activities of the area labor council; have the power to interpret the Constitution, subject to ratification of the Area Labor Council; be an ex-officio member of all committees and perform such other duties as usually pertain to the office and as may be ordered by the area labor council or the Executive Board. The President may appoint as many Sergeants-at-Arms as necessary to assist in maintaining order and in the conduct of meetings of the area labor council.

**Section 2.** The Secretary shall: be the custodian of the records of the area labor council; keep a correct record of the proceedings of all meetings of the council and of the Executive Board.

**Section 3.** The Treasurer shall; receive and disburse all funds of this Area Labor Council upon proper authorization; maintain adequate financial records showing the standing of all affiliated organizations and the source and disposition of all funds; manage the funds and keep financial records in a manner which generally conforms with acceptable accounting standards and abides by those accounting and financial controls as may be approved by the Executive Council of the AFL-CIO under the **Rules Governing AFL-CIO Area Labor Councils and Central Labor Council**; submit to the Area Labor Council a monthly financial statement of all funds, showing the accounts in such detail as the Executive Board or the area labor council may require; and submit the books for audit on request of the Executive Board.

**Section 4.** The Vice-Presidents, in order of office, shall perform the duties of the President when absent or incapacitated and shall assist the President when requested.

**Section 5.** The Trustees shall be the custodians of the physical properties of the Area Labor Council and shall prepare and maintain an inventory of all such properties showing the date of purchase, the cost and estimated current value. They shall examine the records of the Secretary-Treasurer quarterly and shall report to the council on the condition of these records.

**Section 6.**

- (a) Every officer, executive board member and employee of this Area Labor Council, whether elected or appointed, has a high fiduciary duty and sacred trust to serve the best interest of the members honestly and faithfully.
- (b) No officer, executive board member, or employee shall own property or have a personal financial interest which conflicts with the full performance of his/her fiduciary duties.
- (c) All officers, executive board members and employees shall abide by the applicable standards of conduct mandated by the

**AFL-CIO Ethical Practices Code.**

## **ARTICLE X EXECUTIVE BOARD**



**Section 1.** The Executive Board shall be composed of all the officers and board members enumerated in Article VII, Section 1 (a).

**Section 2.** The Executive Board shall be the governing body of the Area Labor Council between its delegates' meetings. It is authorized and empowered to take such action and render such decisions as may be necessary to carry out fully the decisions and instructions of the Council and as may be necessary and appropriate to safeguard and promote the best interests of the Council and its affiliated unions.

**Section 3.** The Executive Board shall meet regularly at least once each month at such time and place as it may determine and it shall meet on call of the President when a special meeting is necessary

**Section 4.** The Executive Board shall have the power to make temporary appointment to any office not otherwise provided for in this Constitution for the period of a temporary disability or the absence of an officer or, in the case of a permanent vacancy, until a special election has been held.

**Section 5.** A quorum for transaction of the business of the Executive Board shall consist of a majority of its members.

## **ARTICLE XI CHARGES AND HEARINGS**

**Section 1.** Any affiliated organization by vote of its membership, or any officer of or delegate to the Area Labor Council shall have the right to file charges (a) against any delegate to the Council for having engaged in conduct or a course of activity hostile or contrary to the best interests of this Council, or its constitution, or (b) against any officer of the Council for violating the Constitution or rules of the AFL-CIO or the Constitution of this Council, or for conduct unbecoming an officer, misappropriation of funds, malfeasance in office or neglect of duty, or (c) against any organization affiliated with the Area Labor Council for having engaged in conduct or a course of activity hostile or contrary to the best interests of the Area Labor Council or contrary to this Constitution.

**Section 2.** All charges or election protests (see Art. VIII, Sec 8) shall be in writing, specifying the particular act or acts charged; shall be signed by the charging party or by its officers, if an affiliated organization; and shall be filed with the President or the Secretary-Treasurer of the Area Labor Council, or with any other officer of the Area Labor Council, if both the President and the Secretary-Treasurer are charged.

**Section 3.** Upon receipt of the charges or protest properly filed, the officer receiving same shall present them to the Executive Board at its next meeting and the Executive Board shall determine by majority vote whether or not the charges or protest merit a hearing. Elections protests shall be filed first with the Elections Committee, who shall report its findings to the Executive Board.

**Section 4.** If a hearing is warranted, all parties to the dispute shall be given adequate notification of not less than three (3) days of the hearing date, along with a copy of the charges or protest and a record of action taken by the Executive Board or Election Committee to date. Both the accused and the charging party shall be accorded full opportunity to be heard and to present evidence.

**Section 5.** Following a hearing, the Executive Board may take appropriate action, including: in the case of charges, the suspension or

expulsion of any delegate or affiliated organization, and the suspension or removal of any officer found guilty of the charges by a two-thirds vote. In the case of an election protest, order appropriate remedies up to and including the rerun of the election.

**Section 6.** The decision of the Executive Board shall be reported to the next meeting of the Area Labor Council. Such decision shall be final and binding unless appealed as hereinafter provided.

**Section 7.** The decision of the Executive Board may be appealed to the Area Labor Council by either party. Notice of such appeal shall be filed in writing with the President or the Secretary-Treasurer within ten (10) days of the Executive Board's report to the Council. The appeal shall be heard expeditiously and at a regular meeting of the Area Labor Council. The charging party, the defendant and the Executive Board, through selected spokespersons shall in that order, be allowed ten (10) minutes each to present statements of the case. One half (1/2) hour shall then be allocated for general discussion and questions by the delegates. Delegates shall vote on the question of sustaining the decision of the Executive Board. It shall require a majority vote to sustain the decision.

**Section 8.** The final decision of the Area Labor Council may be appealed to the AFL-CIO as provided under Rule #27 or Rule #28 as appropriate of the **Rules Governing AFL-CIO Area Labor Councils and Central Labor Councils**. The decision of the Council shall remain in effect during the appeal unless reversed, modified or temporarily stayed by the President of the AFL-CIO.

**Section 9.** In accordance with Rule #26 of the **Rules Governing AFL-CIO Area Labor Councils and Central Labor Councils**, no organization or individual seeking redress under this Article shall resort to any court until all relief within the AFL-CIO as provided for within this Constitution, the **Rules Governing AFL-CIO Area Labor Councils and Central Labor Councils** and the Constitution of the AFL-CIO is exhausted.

## ARTICLE XII PER CAPITA TAXES AND FEES

**Section 1.** Affiliated local unions shall pay a monthly per capita tax of thirty-one cents (\$0.31) on all its members regularly employed within the jurisdiction of this Area Labor Council. Effective September 1, 2003, the monthly per capita tax shall be increased to \$0.41 per member per month; effective September 1, 2004, the monthly per capita tax shall be increased to \$0.46 per member per month; and effective September 1, 2005, the monthly per capita tax shall be increased to \$0.51 per member per month. Effective September 1, 2006 and each year thereafter, the monthly per capita tax shall be increased by the same rate as the CPI-U.S. City Average for Wage and Salary Workers calculated from July 1 through June 30 and rounded to the nearest penny, provided that such increases are reviewed and approved by the Executive Board and Delegates (**.58 as of January 2014**). A local union desiring to affiliate shall pay one month's per capita tax at the time of affiliation. Per capita tax for succeeding months shall be due on the first (1st) of each month thereafter. Per capita tax in each case shall be based on the number of dues-paying members for the preceding month. If per capita tax for any month is not paid by the first (1st) of the following month the local union shall be deemed in arrears.

**Section 2.** Other affiliated organizations (as defined in Article IV, Section 1), shall pay an annual fee of twenty five (\$25) dollars. Any such organization desiring to affiliate shall pay one year's fee at the time of affiliating. The annual fee for succeeding years shall be due the month of January thereafter, and if not paid by the first of the succeeding month after it is due, the organization shall be deemed in

arrears.

**Section 3.** A local union or other organization which becomes two (2) months in arrears shall be so notified in writing by the Secretary-Treasurer. If it becomes three (3) months in arrears it shall not be considered in good standing and shall not be entitled to voice or vote in meetings of this Area Labor Council. It shall be so notified in writing by the Secretary-Treasurer.

**Section 4.** A local union or other organization which becomes four (4) months in arrears shall stand suspended from membership and shall be so notified in writing by the Secretary-Treasurer.

**Section 5.** Any organization which has been suspended, or which has withdrawn from membership, may be reinstated by payment of all amounts due at the time of suspension or withdrawal and the current per capita tax or annual fee. However, the average membership of a reinstated local union, for purposes of roll call voting, shall be computed from the date of reinstatement as if it were a newly affiliated local union. A union that has been suspended for nonpayment of per capita tax may pay only the amounts in arrears, but cannot pay for additional months to increase voting strength.

**Section 6.** A local union paying per capita tax on less than its full, dues-paying membership shall be subject to suspension by the Executive Board under the procedures of Article X of this Constitution. The Executive Board may require a local union to produce proof of membership where reason exists to believe such local union is violating this provision. If the local union shall fail or refuse to produce such proof on request, the Executive Board may base its determination on such evidence as may be available.

**Section 7.** The Relief Appeals Committee may exonerate any local union from payment of per capita tax for any month that, in the opinion of the Executive Board, good cause therefore exists, subject to ratification by the Area Labor Council. Exonerated members shall be regarded, for purposes of this Constitution, as paid up members for the period of exoneration, but the delegates representing such local shall not vote on the question of exoneration.

## **ARTICLE XIII FINANCIAL PRACTICES AND AUDITS**

**Section 1.** All funds of this Area Labor Council shall be placed on deposit in a national bank or other federally insured financial institution, as designated by the Executive Board and shall be paid out only by check bearing the signatures of the President and the Secretary-Treasurer. No funds shall be expended unless authorized by the Area Labor Council (or the Executive Board in case of emergency). All invoices, receipts and other supporting documents shall be attached to the voucher, which shall be signed by the Secretary-Treasurer and countersigned by the President.

**Section 2.** The accounts and financial records of the Area Labor Council, including all committees and subordinate agencies of the Council, shall be audited annually and shall cover the full calendar year. These audits shall be submitted to the Council and a copy sent to the AFL-CIO. The Executive Board may require more frequent audits or examination of the accounts and financial records of the Secretary-Treasurer in its discretion.

**Section 3.** Officers, delegates and other authorized persons shall be reimbursed for necessary and legitimate expenses, including actual loss of salary, which may be incurred in the performance of authorized activities for the Area Labor Council. An itemized

accounting of such expenses shall be submitted to the Executive Board.

**Section 4.** All officers and agents of this Area Labor Council having a financial responsibility shall be covered by a fidelity bond in an amount equal to no less than ten percent (10%) of its revenue in the prior fiscal year. Should the amount of this bond exceed the \$2,500 amount of the bond furnished without cost by the AFL-CIO, the Area Labor Council shall pay the additional cost of such bond.

**Section 5.** The Area Labor Council shall file such reports and pay such affiliation fees as may be required by the national AFL-CIO pursuant to Rule #6 and Rule #14 of the ***Rules Governing AFL-CIO Area Labor Councils and Central Labor Councils***.

**Section 6.** The Area Labor Council shall prepare an annual budget and adopt a written expense policy. Expenses shall be reimbursed only upon submission of original receipts. The use of the Area Labor Council's credit card for personal use is prohibited.

## ARTICLE XIV LISTS

All lists of affiliates or members of affiliates in possession of the Area Labor Councils shall be used exclusively in carrying out the authorized programs and work of the Council and shall not be released to any person or organization for any other purpose unless such release has been duly authorized by the council and the appropriate officers of the affiliate or affiliates involved.

## ARTICLE XV COMMITTEES

**Section 1.** The following standing committees of five members each shall be appointed by the President with the advice and consent of the Executive Board: Ethics, Credentials, Affiliations, Mobilization, Organizing, Community Services, Economic Development, Relief Appeals, Education, Civil Rights and Constitution/By-Laws.

**Section 2.** The members of the standing committees shall serve at the pleasure of the President.

**Section 3.** Special committees may be established from time to time by the Area Labor Council as needed and shall be appointed by the President unless otherwise directed by the Area Labor Council.

**Section 4.** All Committees shall report regularly to the Area Labor Council and any Committee which fails to function shall be dismissed and a new Committee appointed.

## ARTICLE XVI LEGISLATIVE AND POLITICAL ACTION

**Section 1.** The legislative activities of the Area Labor Council shall be under the direction of the Executive Board. These activities shall conform to the policies of the State AFL-CIO on state matters and to the policies of the National AFL-CIO on national affairs, and to the policies adopted by the Area Labor Council and the decisions of the Executive Board on local matters.

**Section 2.** The political activities of the Area Labor Council shall be under the direction of the Council's Committee on Political Education (COPE), which is hereby constituted as the political arm of this Council. The Executive Board shall constitute the Area Labor Council's Committee on Political Education.

**Section 3.** The President and Financial Secretary of the Council shall be the chair and chief financial officer respectively of the

Committee on Political Education.

**Section 4.** The COPE shall operate in conformity with the policies of the AFL-CIO including Rules #30 through #46 of the ***Rules Governing AFL-CIO Area Labor Councils and Central Labor Councils***, and State COPE.

**Section 5.** The Area Labor Council's Committee on Political Education shall have power to formulate By-Laws to govern COPE which shall be subject to ratification by the Area Labor Council and approval of the AFL-CIO.

**Section 6.** Additional members may be added to the Committee in accordance with properly approved By Laws.

## **ARTICLE XVII COLLECTIVE BARGAINING, STRIKES AND BOYCOTTS**

**Section 1.** This Area Labor Council shall not take part in any collective bargaining activities or in any labor dispute, including strikes, involving any affiliated local union except upon the request or consent of the national or international union or organizing committee with which such local union is affiliated or, in the case of local union directly affiliated to the AFL-CIO, except upon the request or consent of the AFL-CIO President.

**Section 2.** This Area Labor Council does not have the power or authority to originate a boycott or to initiate action to place an employer on an "unfair" or "do not patronize" list. All such action shall be taken only on written request of the aggrieved union or in response to an action of the AFL-CIO. When such action is requested by an aggrieved union, the labor council shall be governed by appropriate procedures of Rule # 22 of the ***Rules Governing AFL-CIO Area Labor Councils and Central Labor Councils***.

## **ARTICLE XVIII RULES, PARLIAMENTARY AUTHORITY AND AMENDMENTS**

**Section 1.** The procedures to be followed with respect to publications issued or endorsed by this Area Labor Council, shall be in accord with Rule # 23 and the other policies contained in the ***Rules Governing AFL-CIO Area Labor Councils and Central Labor Councils***.

**Section 2.** In case of conflict between the provisions of this Constitution or other laws or actions of this Area Labor Council and the Constitution of the AFL-CIO, and/or the ***Rules Governing AFL-CIO Area Labor Council and Central Labor Councils*** issued by the Executive Council of the AFL-CIO, the latter shall prevail, and appropriate steps shall be taken by the Executive Board to initiate such amendment to this Constitution or to change or modify the laws or actions of this Council as necessary to bring them into conformity with the Constitution and ***Rules Governing AFL-CIO Area Labor Councils and Central Labor Councils***.

**Section 3.** The parliamentary rules contained in ***Robert's Rules of Order, Revised***, shall govern this Area Labor Council in all cases to which they are applicable and where they are not inconsistent with this Constitution, or such special rules of order as may be adopted by this Area Labor Council.

**Section 4.** This Constitution may be amended by any regular meeting of this Area Labor Council by two-thirds of the votes cast, provided the proposed amendment(s) shall have been submitted in writing to the Secretary-Treasurer at the preceding regular meeting

and properly certified by an affiliated organization or by a delegate representing an affiliated organization. Amendments may also be proposed by the Executive Board. All proposed amendments shall be read in full at the meeting at which received and copies shall be made available upon request to all delegates prior to final consideration. Amendments to this Constitution shall become effective when approved by the President of the AFL-CIO.

## **OATHS OF OFFICERS**

### **Obligation of Delegates**

Upon acceptance of a delegate's credential, the presiding officer shall administer the following obligation: **"I, (name of delegate), do solemnly pledge on my honor that I will obey the rules and regulations of this Area Labor Council and, to the best of my ability, will perform all the duties I may be called on to discharge as a delegate thereto. I also pledge that I will patronize only union labels, shop cards and service buttons when they are available and that I will qualify myself to vote in all local, state and federal elections, if eligible to do so."**

### **Obligation of Officers**

Before entering upon the duties each officer-elect shall assume the following obligation: **"I, (give name), do hereby promise to faithfully perform all the duties of the office to which I have been elected to the best of my ability, and to uphold the Constitution of the Area Labor Council, and of the AFL-CIO. I further promise to deliver all property in my possession belonging to this Area Labor Council to my successor in office and to surrender such property to the President of the AFL-CIO upon his/her official demand."**

## **Order of Business**

1. Roll Call of Officers
2. Report of Credentials Committee and Obligation of Delegates
3. Action on minutes of the previous meeting or meetings
4. Financial Report and Trustees Quarterly Report
5. Reading of communications and consideration of bills
6. Executive Board Report
7. Reports of activities of local unions

**8. Reports of Committees****9. Unfinished business****10. New business****11. Good of the order****12. Adjournment**

(Note-The "order of business", like parliamentary "rules of order", may be suspended temporarily for a particular purpose by a two-thirds vote. The Constitution or By-Laws cannot be suspended.)