

# Constitution and By-Laws

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## Metal Trades Department

of the  
American Federation of Labor  
and Congress  
of Industrial Organizations

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**2016**



## Amended

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## Metal Trades Department

of the  
American Federation of Labor  
and Congress  
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**James Hart,**  
*President*

### **General Offices**

AFL-CIO Building

815 16<sup>th</sup> St., NW

Washington, DC 20006

Telephone: 202-508-3705

Fax: 202-508-3706

Website: [www.metaltrades.org](http://www.metaltrades.org)



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# Constitution and By-laws

## ARTICLE I

## Name

**Sec. 1.** This organization shall be known as the METAL TRADES DEPARTMENT OF THE AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS, and the membership shall be confined to National and International Organizations, which are chartered by and affiliated with the American Federation of Labor and Congress of Industrial Organizations and Metal Trades Councils, which are chartered by and affiliated with the Department, and whose members are employed in the metal trades and other industries.

Sec. 2. Application for membership shall be made through the Executive Council of this Department, and it shall require a majority vote of the Executive Council to grant affiliation to any National or International Union or Metal Trades Council applying for membership.

**Sec. 1.** The objects of this body shall be the encouragement and formation of local Metal Trades Councils, and the conferring of such power and authority upon the several local organizations of this Department as may advance the interests and welfare of the metal trades industry: to issue charters to local Metal Trades Councils; to adjust trade disputes along practical lines as they arise, and to establish more harmonious relations between employer and employee; to secure improved wages, hours, working conditions and other economic advantages for our members through collective bargaining; to safeguard and promote the principles of free collective bargaining, the rights of workers and the security and welfare of all people by political education and other community activity; to engage in research, legal, public relations and legislative activities for the advancement of the interests of affiliated National and International Organizations, local Metal Trades Councils and the metal trades industry.

**Sec. 2.** Recognizing the justice of trade jurisdiction, it shall be the aim of this Department to use its good offices in assisting affiliated National and International Organizations in adjusting any dispute arising over a question of jurisdiction.

**Sec. 1.** The Convention shall be the supreme governing body of the Department and its powers while in Convention session shall be legislative, executive and judicial.

**Sec. 2.** Regular Conventions of this Department shall be held every five years with the election of officers of the Department taking place every regular convention. Special Conventions may be called by the President should a majority of the affiliated National or International Organizations so request.

**Sec. 3.** The time and place for holding regular or special Conventions shall be designated by the Executive Council. The President shall give at least ninety (90) days' notice of a regular Convention and at least thirty (30) days' notice of a Special Convention.

## Representation in Convention

**Sec. 4.** The basis of representation at the Convention shall be based upon working metal trades members in affiliated councils: From National or International Organizations of less than 2,000 members, 4 delegates; 2,000 or more, 5 delegates; 3,000 or more, 6 delegates; 4,000 or more, 8 delegates; 5,000 or more, 10 delegates, and so on, who shall be entitled to one vote for each 100 members or majority fraction thereof, and one delegate from each local, state and District Metal Trades Council, who shall be entitled to one vote.

**Sec. 5.** Delegates to the Convention shall be properly selected at least thirty (30) days previous to a regular Convention in accordance with the Constitution and By-Laws of the affiliated National or International Unions and local and district Metal Trades Councils. The names of such delegates shall be forwarded to the President of the Department after their selection.

**Sec. 6.** No organization that has seceded, or been expelled or suspended by this Department, the American Federation of Labor and Congress of Industrial Organizations or by a National or International Organization connected therewith shall, while under such penalty, be allowed representation or recognition in this organization, or in any local Metal Trades Council under penalty of suspension of the body violating this section.

**Sec. 7.** No organization shall be entitled to representation unless such organization is in good standing in the American Federation of Labor and Congress of Industrial Organizations, or this Department, or shall have applied for and received a certificate of affiliation with this Department; and no person shall be recognized as a delegate whose National or International Organization is not affiliated with this Department.

**Sec. 8.** Delegates shall not be entitled to a seat in the Conventions of this Department unless the tax of their organizations has been paid in full thirty (30) days preceding the Convention.

## Committees of Conventions

**Sec. 9.** The following committees at Convention shall be appointed by the President:

1. Rules, Credentials and Audit
2. Reports of Officers
3. Legislation
4. Resolutions
5. Constitution
6. Organization
7. Maritime Affairs
8. Health and Safety

And such additional committees as may be deemed advisable by the President.

**Sec. 10.** The President shall direct the chief executive officers of three (3) National or International Unions, at least ten (10) days previous to the holding of the regular Convention, to appoint one delegate each from their respective delegations-elect, who shall compose the Auditing Committee, and also the Committee on Credentials. This Committee shall meet at such place and such time as the President of the Department may determine is necessary for the proper performance of its duty; and it shall audit the accounts of the Department for the preceding sixty (60) months, and report upon credentials immediately upon the opening of the Convention. And each member of the committee shall receive the sum of seventy-five dollars (\$75) for his services.

**Sec. 11.** Resolutions of any character, or propositions for changes in this Constitution cannot be introduced in the Convention after the first day's session, except by unanimous consent. Resolutions can only be introduced by a regularly accredited delegate from an affiliated National or International Organization, or from a regular chartered Metal Trades Council.

**Sec. 12.** The Convention shall have power to order an executive session at any time.

**Sec. 13.** None, other than delegates, shall be permitted to address the Convention or read papers therein, except by a two-thirds vote of the Convention; except the authorized invited Convention speakers.

**Sec. 14.** The Rules and Order of Business governing the preceding Convention shall be in force from the opening of any Convention of this Department until new rules have been adopted.

**Sec. 15.** A quorum for the transaction of business shall consist of not less than a majority of the delegates attending a Convention.

**Sec. 16.** No grievance shall be considered by any Convention that has been decided by a previous Convention, except upon the recommendation of the Executive Council, nor shall any grievance be considered where the parties thereto have not previously held a conference and attempted to adjust the same themselves.

**Sec. 17.** Questions may be decided by a division or show of hands; but if a call of the roll is demanded, each delegate shall cast the vote

as provided for in Article III, section 4 of the Constitution. When the full number of delegates from any affiliated organization is not present, the number of votes to which such organization is entitled may be cast by its delegate.

## Rules of Order for Conventions

1. Call to order
2. President's Remarks
3. Report of Committee on Rules
4. Report of Committee on Credentials
5. Report of Committee on Audit
6. Appointment of standing committees
7. Report of standing and special committees
8. Unfinished business
9. New business
10. Election and installation of Officers
11. Adjournment

**Sec. 1.** The officers of this Department shall consist of a President and eleven (11) Vice Presidents, who shall constitute the Executive Council.

**Sec. 2.** The President of the Department shall be an ex-officio delegate to the Convention with all the rights and privileges of other properly selected delegates, and shall be eligible for re-election. When the President is in attendance at a Convention, his/her travel, hotel and other expenses shall be paid by this Department.

**Sec. 3.** All elective officers shall be members in good standing of their respective organizations.

**Sec. 4.** The terms of the offices of President and Vice Presidents shall be for a period of five (5) years, elected at regular Conventions.

**Sec. 5.** The President shall engage suitable offices in the city of Washington, D.C., for the transaction of the business of this Department.

**Sec. 6.** All vacancies in office in this Department caused by death, resignations or otherwise, shall be filled between Conventions by the Executive Council of this Department.

**Sec. 7.** All books and financial accounts shall, at all times be open to the inspection of the Executive Council.



**Sec. 1.** The President shall preside at all Conventions and all Executive Council meetings.

**Sec. 2.** The President shall exercise supervision of the Department throughout its complete jurisdiction. He/she shall be empowered to issue such orders by and with the consent of the Executive Council of the Department which are necessary to enforce and carry out the aims, objects and best interests of the Department.

**Sec. 3.** The President shall oversee all official correspondence pertaining to his office and shall have the responsibility for the supervision over issuing all Department publications.

**Sec. 4.** The President shall have the authority to interpret the Constitution of the Department between meetings of the Executive Council and his/her interpretation shall be conclusive and in full force and effect unless changed by the Executive Council or by Convention.

**(a)** The President of the Department is authorized to make all grammatical, spelling and corrective measures to the Metal Trades Department Constitution and Bylaws as sanctioned in the official convention record by the delegate body.

**Sec. 5.** The President shall, when necessary or at the request of the Executive Council, visit localities where the interests of the various affiliated organizations are involved. He/she shall also visit localities where do not exist and use his best endeavors to harmonize the metal

trades and establish councils in all localities. The employment of fulltime representatives by the President, and the temporary assignment and remuneration of representatives of the Department's affiliates shall be subject to the approval of the Executive Council.

**Sec. 6.** The President shall, by virtue of his office, be a delegate to the AFL-CIO Convention.

**Sec. 7.** The President shall devote his full time exclusively to the duties of his office and He/ she shall receive for his services an annual salary payable in monthly installments and such travel, transportation and incidental expenses as may be determined from time to time by the Executive Council. The President shall submit to the Executive Council an itemized account of all moneys expended by him in the interests of the Department.

**Sec. 8.** The President shall have the right to cast a deciding vote in all cases before the Executive Council.

**Sec. 9.** The President shall make a report of the administration of his office and the current affairs of the Department to the Executive Council and a full report to each regular Convention of the Department.

**Sec. 10.** The appointment, compensation, direction, supervision, suspension or removal of office employees and other employees of the Department shall be under the direction of the President subject to the approval of the Executive Council.

**Sec. 11.** The President shall furnish within four (4) weeks after election a bond, to be approved in the amount fixed by the Executive Council. The expense of the bond shall be borne by the Department.

**Sec. 12.** In the case of a vacancy in the office of President by death or other causes, it shall be the duty of the First Vice President to, at once, issue a call for a meeting of the Executive Council for the purposes of electing a President to fill the vacancy. The First Vice President shall perform the duties of the President until his/her successor is elected. In the case of a resignation that will take effect at a future date and cause a vacancy in the Presidency, the President shall issue the call for the meeting of the Executive Council to fill the vacancy.

**Sec. 13.** The President may appoint a trustee to take charge of and control the affairs of a local or district Metal Trades Council, when, after charges, notice and a hearing, He/she finds that such is necessary for the purposes of correcting corruption or financial malpractice, assuring the performance of collective bargaining agreements or other duties of a bargaining representative, restoring democratic procedures or otherwise carrying out legitimate objectives of such subordinate body. The trustee may remove any, and all officers, appoint temporary officers and control all funds and property of the subordinate body, with the approval of the President of the Department. The President may, where in his/her judgment an emergency situation exists within a subordinate body, appoint a trustee prior

to a hearing, provided that such hearing shall convene within two (2) weeks of the imposition of the trusteeship. Whenever the President acts under this section and deems it necessary to exercise the foregoing powers, he may deputize a representative or representatives from within the Department or an affiliated National or International Union to act for him in such matters and to conduct the hearing. Such representative or representatives shall make their findings and report to the President. The decision of the President appointing a trustee may be appealed to the Executive Council. Pending appeal from the President's decision, his action shall stand and be carried out.

**Sec. 14.** The President shall be the financial officer of the Department, and shall have full charge of the financial affairs of the Department, and shall receive and collect all moneys to the Department, which moneys shall be paid out only on the signature of the President and the counter signature of an individual designated by the Executive Council. He/she shall furnish the Executive Council with a quarterly statement of all financial business transacted. He/she shall keep an itemized account of all receipts and expenditures and shall be prepared to submit his books and other accounts to the Auditing Committee at the direction of the Executive Council and to each Convention.

**Sec. 15.** The President shall deposit all funds of the Department in such bank as the Executive Council designates.

**Sec. 16.** The President shall keep a correct record of the proceedings of the Convention

and meetings of the Executive Council. He/she shall keep a list of all officers of affiliated organizations.

**Sec. 17.** The President may, at any time, either in person or by a deputy, audit the financial books and records of an affiliated Council. In the case of a dissolution of an affiliated Council, all moneys and other property in possession of the Council shall immediately be forwarded to the Department in such manner as the President may direct.

**Sec. 1.** The Executive Council of the Department shall convene its meetings at such times, and in such cities, as may be determined by the Executive Council of the Department.

**Sec. 2.** Between Conventions, the Executive Council shall be the governing body of the Department. It is authorized and empowered to take action and render decisions on any, and all matters necessary to carry out the functions and purposes of the Department, and to adequately carry out and enforce the decisions and instructions of the Convention, and to enforce the provisions contained in this Constitution.

**Sec. 3.** The Executive Council shall have full control over the funds and other property of the Department. The Executive Council is empowered to approve any expenditure that is, in its judgment, reasonably related to furthering the objective and purposes of the Department and its membership. Expenditures and disbursements of funds shall be in accordance with the Department's practices, customs and procedures.

**Sec. 4.** The Vice President members of the Executive Council shall assist the President in the performance of his/her duties.

**Sec. 5.** Six (6) members of the Executive Council, including the President, shall constitute a quorum for the carrying on of the business of the Council.

**Sec. 6.** The Vice President members of the Executive Council shall be allowed appropriate remuneration while attending meetings of the

Executive Council, or when under assignment by the President of the Department as the Executive Council may determine.

**Sec. 7.** In all matters requiring action by the Executive Council, when the Council is not in formal session, the Council may act by electronic communications or by letter. Whenever the President requires action by the Executive Council, he may obtain same by writing or using electronic communications sent to the members of the Executive Council and such members may take action in the matter brought to their attention in this manner. Such action so taken by the members of the Executive Council shall constitute action by the Executive Council as though the Council were in formal session.

**Sec. 8.** There shall be an Administrative Committee which shall consist of the President and four (4) Vice Presidents to be selected by the Executive Council. The Administrative Committee shall meet at the call of the President and shall advise and consult with the President of the Department.

**Sec. 9.** The Executive Council may suspend or revoke the charter of a local or district Metal Trades Council for just cause after charges, notice and a hearing. The Executive Council may designate one or more of its members or it may deputize a representative or representatives from within the Department or from an affiliated National or International Union to act as hearing officer or officers and report his/her or their findings and conclusions to the Executive Council. The Executive Council may suspend

the charter of a local or district Metal Trades Council without a hearing where, in its judgment, an emergency arises or a situation exists which is dangerous to the welfare of the local or district Metal Trades Council and to the interest and welfare of metal tradesmen, or to the Department, or to the labor movement in general. When the Executive Council deems it necessary to exercise the foregoing emergency power, the hearing shall be held within a reasonable period-of-time and a copy of the charges should be served upon the local or district Metal Trades Council whose charter has been suspended or revoked may be reinstated only by vote of the Executive Council.

**Sec. 10.** Notwithstanding other provisions contained in this Constitution, the Executive Council shall be authorized between Conventions to increase or decrease the salary of the President, whenever in its judgment salary inequities exist or economic facts and circumstances or the financial wellbeing of the Department warrant such action.

**Sec. 11.** If any provision of this Constitution shall be declared invalid or inoperative by any competent authority of the executive, judicial or administrative branch of federal or state government or in the event of the enactment of any federal law which is in conflict with or inconsistent with or contrary to any provision of this Constitution and the Executive Council is so advised by competent legal counsel, then the Executive Council shall have the authority to suspend the operation of such provision during the period of its invalidity and to substitute in its place a provision which shall meet the objections to its validity and which will be in accord with



the intent and purpose of the invalid provision. If any section of this Constitution should be held invalid by operation of law or by any tribunal of competent jurisdiction, the remainder of this Constitution or the application of such section to persons or circumstances other than those as to which it has been invalid, shall not be affected thereby.

**Sec. 1.** The revenue for the support of the Department shall be derived from an initiation fee on the national and international unions of \$50 each and on the local councils of \$10 each. Each affiliated national and international organization shall pay a per capita to the Metal Trades Department equal to a percentage paid effective as of August 1st, 2016. This per capita shall be based on the operational budget approved by the Executive Council for the coming fiscal year.

The budget, once approved by the Executive Council shall be proportionally divided using the percentage figures established above and each affiliated national and international organization shall pay the rate of per capita on a monthly basis for the fiscal year or until notification or change by the Department upon approval of a new budget.

The President of the Department shall notify all affiliated national and international unions of the projected per capita tax payments no later than September 15 of the pending year.

Notwithstanding the foregoing, the Executive Council is specifically empowered between Conventions by majority vote of the entire Executive Council to adjust the current per capita formula or any affiliate's percentage.

**Sec. 2.** Should it become necessary to create additional revenue to meet any special occasion which may arise, the Executive Council, between Conventions, shall have the authority by not less than a four-fifths vote to levy an assessment on

affiliated National and International Unions based upon the membership of the affiliated National and International Organizations upon which per capita tax is paid to the Department. Such assessment shall only be in effect until approved by the next regular or special Convention.

**Sec. 3.** Any organization affiliated with this Department, and not paying its per capita tax on or before the twenty-fifth day of each month, shall be notified of the fact by the President of the Department, and if at the end of three (3) months the same has not been paid in full, it shall become suspended and can be reinstated only by a vote of the Executive Council, provided the per capita tax has been paid in full, unless an extension of time is granted by the Executive Council.

## ARTICLE VIII Local, State and District Councils

**Sec. 1.** Where there exists three (3) or more local unions of affiliated trades in any locality, they may file on forms prescribed by the President, a written application for a charter for a local Metal Trades Council of this Department that shall be governed in accordance with the laws of this Department. Upon receipt of an application for a local council, a district or a state council, the President shall send a copy to all affiliated National or International Organizations. After an investigation, the President shall submit the application and his report and recommendation to the Executive Council for decision.

**Sec. 2.** Not more than one Metal Trades Council shall exist in any city unless deemed advisable and carried by a two-thirds vote of the Executive Council. No charter shall be issued by this Department to any city within a close radius to another city holding a charter until the council holding a charter has been given an opportunity to express its position to the President of the Department on the issuance of a charter.

**Sec. 3.** Local Metal Trades Councils may accept for affiliation such local unions whose members may be employed in Navy Yards, Shipyards, by Departments of Government or industrial plants, regardless of the affiliation with the Department of their National or International Union, subject to the approval of the Executive Council, provided they receive authority from their National or International Union, which shall agree that such local union shall be governed by the laws of

the local council and this Department, and their National or International Union is affiliated with the AFL-CIO.

**Sec. 4.** Local unions affiliated with Metal Trades Council will be entitled to six (6) delegates from each local union affiliated with the council. Local unions of any national or International Union, affiliated with a Metal Trades Council, will be entitled to the following number of votes from each craft affiliated with the council, irrespective of the number of locals from the same National or International Union in affiliation with the council.

Each National or International Union affiliated with a Metal Trades Council through one or more of its local unions, will be entitled to the following number of delegates and votes. In cases where any National or International Union is represented in any council by more than one local union, the votes of each such local union shall be divided among such local unions in exact proportion to per capita paid by each to the council, except that in no event shall any of such local unions have less than one vote. Said vote will come from the total vote of the local unions affiliated with the same National or International Union.

## Votes

100 members to one member .....2 votes.

One additional vote for each additional 200 members or major fraction thereof, to a maximum of 10 votes.

For the purpose of this Section, member means a member employed in a bargaining

unit represented by the Council and under the jurisdiction of the affiliated local union.

Each affiliated organization shall be permitted to elect alternates for their delegates. The alternate to act in the place of the delegate with vote and voice when the delegate is not present.

If the president of the Metal Trades Department receives a complaint from an affiliated organization in a Metal Trades council, in a small council where no single affiliate has more than 400 members, that a voting imbalance exists, He/she shall bring it to the immediate attention of the Executive Council for their action and recommendation.

The Executive Council may, after reviewing the matter, agree to place into effect a more equitable voting formula. The department shall notify the organization as well as the council of the Executive Council's actions.

When the local Metal Trades Council is the collective bargaining representative for employees, only members employed under the collective bargaining agreement shall be eligible to vote upon the agreement affecting them; the voting shall be by secret ballot. To be eligible to vote all employees shall be required to present proof of membership.

Where a local union affiliated with a Metal Trades Council is three (3) months delinquent in the payment of per capita tax or legally imposed assessments to the council, the National or International Union of that local union shall, after written notification from the President of the Department of the local union's delinquency, use

its best efforts to persuade its local union to pay up its immediately.

**Sec. 5.** The revenue for the maintenance of local councils shall be derived from a monthly per capita tax payable to the local council by each local union affiliated with the council for each of its members or covered employees, as will be established by the By-laws of the local council, who are employed with an employer with whom the local council has a collective bargaining agreement. The amount will be established by a majority vote of the local council, provided however, that effective October 1, 1984, the monthly per capita tax payable to the local council by its affiliated local unions shall not be less than one dollar (\$1.00) per covered individual.

The Executive Council, between Conventions, shall have the authority by not less than a four-fifths votes, to increase the minimum monthly per capita tax payable to local councils. Such increase in minimum monthly per capita tax shall only be in effect until approved by the next regular or special Convention. The Executive Council, between Conventions, shall also have the authority upon a showing of good cause, to exempt a local council from the minimum monthly per capita tax requirements of this section.

**Sec. 6.** Each local council shall establish an executive board, composed of the President and Secretary and one delegate from each affiliated metal trades organization.

**Sec. 7.** The duties of local executive boards shall be to attend to any business assigned to them by

the local council in accordance with the laws of this Department.

**Sec. 8.** No special meeting of Metal Trades Council will be legal unless the delegates to the council have been notified of the date and the place of the meeting forty-eight hours in advance.

**Sec. 9.** District Councils shall elect their officers not less often than once every four (4) years at a convention of delegates. The revenue for the maintenance of district councils shall be derived from a monthly dues or per capita tax to the district council, by each local union affiliated with the district council, the amount to be decided at the district council's convention of delegates. The Executive council shall establish the basis of representation in district councils.



**Sec. 1.** The officers of the local Metal Trades Council shall consist of President, Vice-President, Secretaries, Treasurer, Sergeant-at- Arms, and Board of Trustees.

**Sec. 2.** The election of officers shall take place at the first meeting in December and the installation of officers shall take place at the first meeting in January, the term of office to be for not less than one year, and not more than four (4) years.

(a) A protest of the conduct and validity of any Metal Trades Council election shall be filed with the Department President within five (5) working days after the election and, pending the decision of the protest, there shall be no induction of officers.

A copy of the protest must be simultaneously served on the Council. The protest shall clearly and specifically set forth the grounds upon which the protesting member relies to set aside or invalidate the election. The Department President shall refer the protest to one of his representatives, who shall conduct an investigation and render a decision. A member or the Local Council not satisfied with the representative's decision must appeal, in writing, within three (3) working days to the Department President. The Department President shall have the right to affirm, reverse, modify or change the decision of his representative or enter such other decision as the facts in his discretion warrant. The decision of the Department President shall be final,

binding, and conclusive, and there shall be no further appeal.

**(b)** A protest to the eligibility of a member of a Local Council for nomination, for office in a Local Council shall be made to the Local Council immediately by the protester upon discovery of the grounds of ineligibility.

Appeal may be taken from the decision of the Local Council to the Department President, whose decision shall be final, binding and conclusive, and there shall be no further appeal.

**(c)** A member protesting a Local Council election to any governmental agency or court must simultaneously file a copy of his protest with the Local Council whose election is being protested.

**Sec. 3.** The President shall preside at all council membership meetings utilizing Roberts Rules of Order, preserve order, enforce the Constitution and By-Laws, be ex-officio of all committees, and see that all officers and representatives perform their duties in accordance with the laws of this Department and the local council. By virtue of his/her office, the President shall serve as delegate to the Department's National Convention and shall represent the council at all official department meetings and functions.

**Sec. 4.** The Vice President shall, in the absence of the President, perform all duties pertaining to the office of President.

**Sec. 5.** The Recording Secretary shall keep a record of the proceedings of the council, and attest to all orders signed by the President. He/

she shall be custodian of the archives and seal of the council. He/she shall furnish the President of the Metal Trades Department with a quarterly report giving a synopsis of the affairs within the jurisdiction of the council, and He/she shall perform such other duties as are elsewhere indicated in this Constitution and assigned him/her by the local council. He/she shall receive such salary as the council, by motion or resolution, may determine.

**Sec. 6.** The Financial Secretary shall receive all dues and money to be paid to the local council and pay the same over to the Treasurer, taking his/her receipt therefore. He shall keep an accurate account of all moneys received and expended. He 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 the Recording Secretary. He/she shall make quarterly financial reports to the council. He/she shall notify all unions in arrears of their indebtedness, and He/she shall receive such salary as the council, by motion or resolution, may determine.

**Sec. 7.** The Treasurer shall receive and receipt for moneys paid to him/her by the Financial Secretary, and disburse the same upon the order of the council. He/she shall keep an account of all moneys received and expended, and produce his books for inspection whenever called upon by the Board of Trustees. He/she shall not retain more than one hundred dollars (\$100) in his possession at any one time, and shall deposit all moneys or funds in such banks as the council may designate in the name of the local Metal Trades Council. He

shall receive such salary as the council, by motion or resolution, may determine.

**Sec. 8.** The Sergeant-at-Arms shall maintain order and perform such other duties as the local council may direct.

**Sec. 9.** Local councils shall bond such of their officers and employees in such amounts as determined by the Metal Trades Department.

**Sec. 10.** No local council can be disbanded so long as three (3) organizations will continue their affiliations.

**Sec. 11.** No member shall be eligible to hold any office in any local, state or district council unless his organization is affiliated nationally with this Department and the local organization shall have paid all its indebtedness to the local councils up to the first day of the current year, and further, the members' local union must have at least one member in a bargaining unit represented by the local Metal Trades Council and working under the jurisdiction of the members' local union.

**Sec. 12.** No member of a local union affiliated with a Metal Trades Council shall take any part in the election of shop committees where non-union employees are given the right to vote in such elections by the management.

**Sec. 13.** All local unions affiliated with local Metal Trades Councils may be represented in the local central labor council (CLC) affiliated with the AFL-CIO.

**Sec. 14.** Local, State or District Metal Trades Councils cannot levy any assessment upon their membership unless such assessment and the

basis on which it is to be levied is approved by the President of the Department. The Executive Council shall establish standards as to the basis on which assessments may be levied on council affiliates and/or their members. A copy of such standards shall be sent to each Department affiliate in December of each year. The Department shall keep affiliates informed of any changes by or rulings of the Department of Labor with respect to dues and assessments.

Upon the request of a member affiliate of any local, State or District Council Metal Trades Department affiliate, the President of the Department shall audit the basis on which any assessment has been levied upon such council affiliate and/or their members to assure that Executive Council standards are met and that the assessment conforms with Department of Labor rulings and guidelines under the LMDRA. Should such audit disclose that such assessment does not conform to Executive Council standards and/or DOL rulings and guidelines, the President shall immediately notify the local, state or district council of such audit finding and direct that within thirty (30) days such subordinate body take whatever action is necessary or required to bring such assessment into compliance, and thereafter report in writing what action was taken. If no action is taken and/or reported by the subordinate body to the Department President within the thirty (30) day period, or, in the event that no action can be taken by the subordinate body to assure compliance with the above-mentioned standards, rulings and guidelines, the President of the Department shall declare the assessment a nullity as void and unenforceable.

For good cause shown and upon the written request of a subordinate body, the President may grant an additional thirty (30) days for such subordinate body to take the necessary and required action and submit its written report.

**Sec. 1.** No local council shall reject an application for membership from a local union chartered by a National or International Organization affiliated with this Department.

Acceptance for membership of a local union in a Council shall not affect jurisdiction of work except as agreed upon by the International Presidents of the organizations involved as provided in Section 4 of the Jurisdictional Policy of the Metal Trades Department, AFL- CIO. The eligibility of all delegates whose credentials have been presented to a local council shall be determined by the local council in accordance with its by-laws.

**Sec. 2.** The Executive Council of the Department shall adopt uniform by-laws for chartered local and district and state Metal Trades Councils which the Executive Council shall have the discretionary authority to amend from time to time. Local and district councils may adopt additional provisions to the uniform by-laws provided they are not inconsistent with the uniform by-laws or the Department's Constitution and policies and are first submitted to the President of the Department for approval before becoming effective.

**Sec. 3.** The territory over which any local Metal Trades Council shall have jurisdiction shall be determined by the Executive Council of this Department.

**Sec. 4.** No local Metal Trades Council shall suspend or expel a local union of an affiliated National or International Union until the dispute

shall have been submitted to the President of the Department for handling with the National or International Union affected.

**Sec. 5.** No officer or delegate of Metal Trades Council shall violate the policy of the Metal Trades Department in matters of finance, jurisdiction or other accepted procedures of the Department. The Metal Trades Council shall upon being made aware of such violation, advise the President of the Department, who shall have the authority to suspend the officer or delegate pending proper hearing of the complaints against the officer or delegate of the council. Following the Department's investigation by the President, or his/her representative, the findings shall be made known to the Executive Council of the Department which shall determine the final disposition of the matter. Suspension or expulsion from office in the council, or as a delegate, can be imposed. Any delegate or officer of a Metal Trades Council shall not, while a delegate to the council, conduct himself/herself in a manner contrary to the known policy of the National or International Union of which He/she is a member. Any such violation will be subject to the same procedures and penalties as prescribe above.



**Sec. 1.** Whenever it is determined by a local Metal Trades Council or majority of the trades affiliated to inaugurate a general movement for the purpose of advancing the interests of the trades represented, such affiliated local unions participating in the movement must first receive the sanction of their National or International Unions before pledging their support to the program to be adopted.

**Sec. 2.** Should a strike be sanctioned by any National or International Union affiliated with this Department, without having first secure consent and approval of the local Metal Trades Council and of this Department, then it shall be optional with the other organizations affiliated to take action or contribute financial support.

**Sec. 3.** No local Metal Trades Council shall be permitted to establish any policy or prescribe such action as would be in violation of the National or International Constitution of any organization affiliated with this Department.

**Sec. 4.** It shall be the policy of all organizations affiliated with local Metal Trades Councils to have local agreements with employers terminate upon the same date, and that no agreements entered into by a local or National or International Union with any firm or group of firms shall contain any clause which would prohibit them from assisting another local union or National or International Union in any manner whatsoever.

**Sec. 5.** When any general policy has been adopted by a local Metal Trades Council, in conformity with the laws of this Department, tending toward a general agreement with the employers, no local union affiliated shall be permitted to enter in to an agreement with its employer or employers without the consent and approval of the local Metal Trades Council.

Any violation of the provisions of this section shall be considered sufficient cause for expulsion.

**Sec. 6.** No local Metal Trades Council can order a strike of the members affiliated without the consent of this Department, and the sanction of the National or International Organizations that are involved.

**Sec. 7.** It shall be the duty of the local council to use its best efforts toward organizing the unorganized metal trades, and to assist in bringing about a more perfect state of organization of the locals affiliated.

## Order of Business for Local Councils

1. Roll call of Officers
2. Report of Committee on Credentials
3. Roll call of delegates
4. Reading of minutes of last meeting
5. Reception and disposal of communications and bills
6. Reports of standing and special committees
7. Report of affiliated organizations
8. Report of Officers
9. New business
10. Election of Officers
11. Unfinished business
12. Good and welfare
13. Adjournment

## Metal Trades Department Officers' Obligation

Do you, each of you, sincerely promise on your honor to perform all the duties of your respective offices according to the laws of the Metal Trades Department of the American Federation of Labor and Congress of Industrial Organizations, until your successor is elected and installed; that you will be faithful in attendance at all regular and special meetings of the Executive Council and such other meetings or Conventions as authorized by either the Executive Council and such other meetings or Conventions of the Metal Trades Department?

**Officers respond: I do.**

## Metal Trades Council Officers' Obligation

Do you, each of you, sincerely promise on your honor to perform all the duties of your respective offices according to the laws of the Metal Trades Department of the American Federation of Labor and Congress of Industrial Organizations, until your successor is elected and installed; that you will be faithful in attendance at all regular and special meetings of the Executive Council and should it lapse or cease to work you will return to the officer, legally authorized to receive the same, all bonds, moneys, charter, and property of the council?

**Officers respond: I do.**

## Metal Trades Council Delegates' Obligation

Do you, each of you, solemnly promise on your honor that you will conform to and obey the laws and regulations of the Metal Trades Department of the American Federation of Labor and Congress of Industrial Organizations and of the Metal Trades Council of ....., that you will be faithful in attendance at all regular and special meetings of the council; that you will at all times strive to maintain a mutual and lasting peace between the affiliated trades; that you will abide by the will of the majority; and that you will make impartial and unprejudiced reports of all conditions affecting the well-being of the council and your fellow delegates?

**Delegates answer: I do.**

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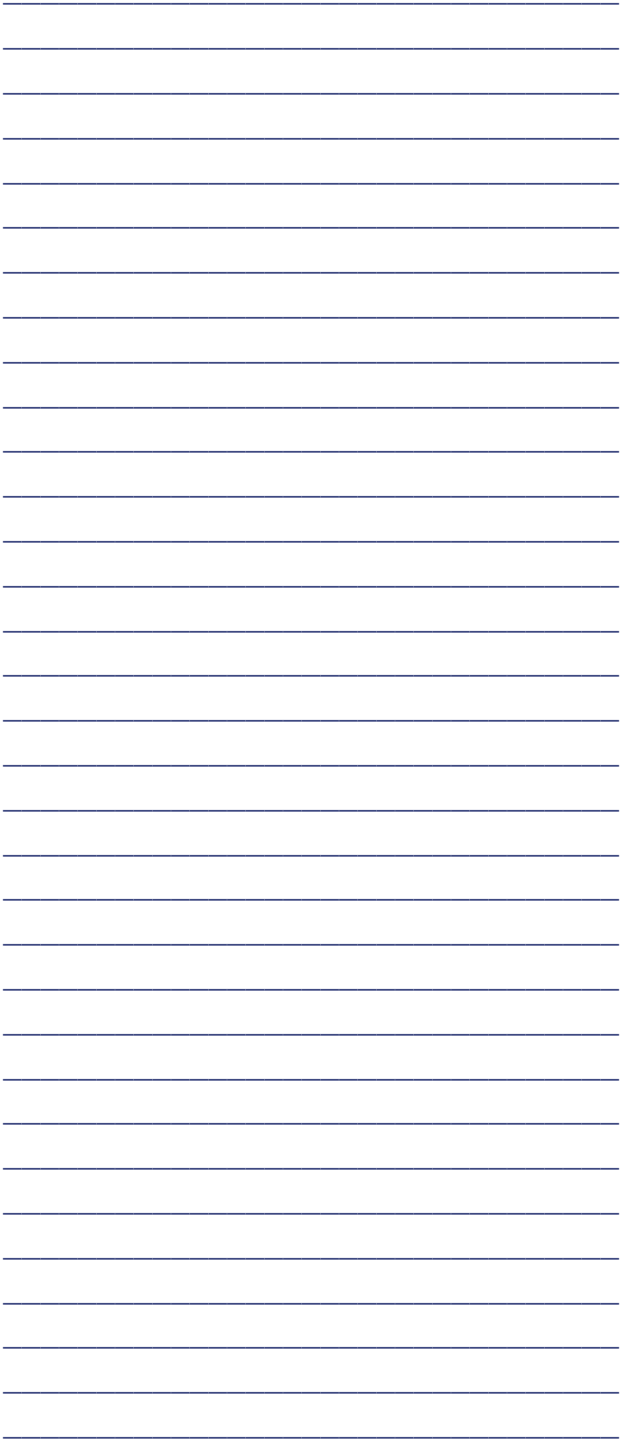
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**Metal Trades Department, AFL-CIO**  
**815 16th Street, NW**  
**Washington, DC 20006**  
**Phone: 202-508-3705**  
**Fax: 202-508-3706**  
**[www.metaltrades.org](http://www.metaltrades.org)**