



Constitution

***United
Association
of Journeymen
and Apprentices
of the Plumbing and
Pipe Fitting Industry
of the United States
and Canada***

Composed of journeymen and apprentices who have jurisdiction over every branch of the plumbing and pipe fitting industry.

Affiliated with the various departments of the AFL-CIO and the Canadian Labour Congress.

*Revised and Amended
at San Diego, California and Calgary, Alberta
August 23-27, 2021*

CONSTITUTION of the

United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada

Organized October 11, 1889

Washington, DC, Oct. 11, 1889 (Adopted)
Pittsburgh, PA, July 28 to Aug. 1, 1890 (Amended)
Denver, CO, July 27 to Aug. 2, 1891 (Amended)
Minneapolis, MN, July 25 to 29, 1892 (Amended)
New York, NY, July 31, to Aug. 5, 1893 (Amended)
St. Louis, MO, July 30 to Aug. 3, 1894 (Amended)
Milwaukee, WI, Sept. 28 to Oct. 3, 1896 (Revised)
Nashville, TN, Sept. 27 to Oct. 2, 1897 (Amended)
Cleveland, OH, Sept. 6 to 10, 1898 (Amended)
Peoria, IL, Sept. 25 to 30, 1899 (Amended)
Newark, NJ, Aug. 6 to 11, 1900 (Amended)
Buffalo, NY, Aug. 19 to 25, 1901 (Amended)
Omaha, NE, Aug. 18 to 24, 1902 (Amended)
Birmingham, AL, Aug. 15 to 20, 1904 (Amended)
Toronto, Canada, Sept. 17 to 28, 1906 (Amended)
Indianapolis, IN, Sept. 21 to 29, 1908 (Amended)
St. Paul, MN, Sept. 19 to 27, 1910 (Amended)
Boston, MA, Aug. 18 to 25, 1913 (Amended)
Toledo, OH, Aug. 13 to 21, 1917 (Amended)
Providence, RI, Sept. 19 to 24, 1921 (Revised)
Atlantic City, NJ, Sept. 15 to 20, 1924 (Amended)
Atlantic City, NJ, Sept. 17 to 21, 1928 (Amended)
Atlantic City, NJ, Sept. 12 to 16, 1938 (Amended)
Cleveland, OH, Sept. 14 to 17, 1942 (Amended)
Atlantic City, NJ, Sept. 9 to 13, 1946 (Revised & Amended)
Kansas City, MO, Sept. 10 to 14, 1951 (Revised & Amended)
Kansas City, MO, Aug. 13 to 17, 1956 (Revised & Amended)
Kansas City, MO, Aug. 7 to 11, 1961 (Revised & Amended)
Kansas City, MO, Aug. 8 to 12, 1966 (Revised & Amended)
Denver, CO, Aug. 2 to 5, 1971 (Revised & Amended)
Las Vegas, NV, Aug. 16 to 20, 1976 (Revised & Amended)
Las Vegas, NV, Aug. 10 to 14, 1981 (Revised & Amended)
Las Vegas, NV, July 28 to Aug. 1, 1986 (Revised & Amended)
Las Vegas, NV, Aug. 12 to 16, 1991 (Revised & Amended)
Las Vegas, NV, Aug. 5 to 9, 1996 (Revised & Amended)
Miami Beach, FL, Aug. 6 to 10, 2001 (Revised & Amended)
Las Vegas, NV, Aug. 7 to 11, 2006 (Revised & Amended)
Las Vegas, NV, Aug. 8 to 12, 2011 (Revised & Amended)
San Diego, CA, Aug. 1 to 5, 2016 (Revised & Amended)
San Diego, CA and Calgary, AB, Aug. 23 to 27, 2021 (Revised & Amended)

PREAMBLE

The aspirations of this Association are to construct an organization which shall subserve the interest of all its members and be a fitting monument to the Unions attached thereto.

The objects of this Association are to protect its members from unjust and injurious competition, and secure through unity of action among all workers of the industry throughout the United States and Canada, claiming, as we do, that labor is capital, and is the only capital that possesses power to reproduce itself or in other words, to create capital. Labor is the interest underlying all other interests; therefore, it is entitled to and should receive from society and government protection and encouragement.

Mankind generally condemns that which they do not thoroughly understand and through prejudice and ignorance neglect to pay that strict attention and regard to the principle of unity for elevating their condition and for the accomplishment of good works which is so much required in creating confidence, generating esteem and respect, and for promoting harmony and good feeling among themselves; therefore, let every member weigh the substance of these laws within his mind and thus become qualified to determine upon that which is herein set forth in the spirit of sincerity and honesty of purpose.

As an earnest proof that we entertain a true sense of our obligations, interests and duties toward one another, each member should make himself thoroughly acquainted with the laws herein contained, that he may avoid imposing upon the same, and also be prepared to use his influence on those who do not as yet belong to the Association, but whose only reason for

not belonging to it is that the benefits offered have never been fully explained to them. Above all, members should avoid becoming in arrears. Large numbers, which should insure "strength," very frequently produce weakness, because those in arrears are debarred from the benefits, and also make it impossible to meet the claims which are made by members who are in good standing.

Recognizing the right of the employer or capitalist to control his capital, we also claim and will exercise the right to control our labor, and be consulted in determining the price paid for it.

We therefore urge upon all journeymen and apprentices who have jurisdiction of every branch of the plumbing and pipe fitting industry, in every section of the United States and Canada, to join with us in our efforts to secure through the power of organization, both for ourselves and our children, a steady demand and a fair compensation for our toil, and a position in society to which, as wealth producers and citizens, we are justly entitled. Recognizing the need of united political action, we urge that the political policies as determined by the American Federation of Labor and Congress of Industrial Organizations and the Canadian Labour Congress shall be the basic foundation for our political beliefs. We must assist in electing to public office only those favorable to the cause we espouse, which is the cause of human freedom and in doing so, elect our friends and defeat our enemies.

For the successful accomplishment of the ends desired by the Association, for the instruction, information and guidance of its members, and for the due regulation of the business connected therewith, this code of laws is hereby enacted.

Name of Organization

SEC. 1. This organization shall be known as the UNITED ASSOCIATION OF JOURNEYMEN AND APPRENTICES OF THE PLUMBING AND PIPE FITTING INDUSTRY OF THE UNITED STATES AND CANADA, composed of journeymen and apprentices engaged in the supervising, fabrication, installation and maintenance of plumbing and pipe fitting installations of every description and character.

JURISDICTION

Trade and Territorial Jurisdiction

SEC. 2. The jurisdiction of territory of the United Association embraces the United States and Canada, and its trade jurisdiction shall include all branches of the pipe fitting industry. In it alone is vested the power to establish Local Unions, and its mandates must be obeyed at all times and under all circumstances. To the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada is reserved the right to decide all matters pertaining to trade and territorial jurisdiction of its affiliated Local Unions, and no Local Union is conceded territorial jurisdiction other than the current working day in said territory, while to Local Unions is conceded the right to make necessary by-laws and agreements for Local Union government which do not conflict with the laws of the United Association.

Jurisdiction of Work

SEC. 3. The United Association having full and exclusive jurisdiction over the plumbing and pipe fitting industry, including the supervision, fabrication,

installation and maintenance of plumbing and pipe fitting installations of every description and character, shall be composed of journeymen and apprentices or any type of worker employed on any kind of work allied to or connected in any manner with the plumbing and pipe fitting industry.

The United Association shall charter three (3) types of Local Unions: Building and Construction Trades Local Unions, Metal Trades Local Unions, and combination Local Unions.

SEC. 4. The following procedure shall govern and control any trade or craft dispute in a Local Union or between two or more Local Unions:

A Local Union involved in a trade or craft dispute shall immediately report the dispute to the General President who shall assign an International Representative to investigate the facts, hear each of the Local Unions involved and render a decision. The decision of the International Representative may be appealed to the General President who may affirm, reverse or modify the International Representative's decision. Any Local Union, party to the dispute, may appeal the decision of the General President to the General Executive Board.

State, Provincial and Municipal Laws or Codes

SEC. 5. Every Local Union or District Council of the United Association shall establish a committee under the supervision of the General Officers to devise ways and means to amend, change, strengthen or enforce all existing State, Provincial and Municipal laws or codes that regulate and control the plumbing and pipe fitting industry in the particular locality.

Better Sanitation

SEC. 6. Realizing the constant dangers and innovations in our trade, and knowing many of them are injurious to the general public in health and sanitation, we advocate and recommend that all our members advocate the use of iron sewerage exclusively in the construction of all buildings in their respective localities, knowing it will be beneficial to the health of the community, and we urge our members to use every endeavor to interest the public health and welfare commissions of their respective localities to enact rules and regulations safeguarding this installation for the health of the general public.

Welding

SEC. 7. Welding of every description and character in its entirety when connected with the plumbing and pipe fitting industry is the work of the members of the United Association. The operating and use of all machines for welding and stress relieving purposes is also the work of the members of the United Association. This is in accordance with the decisions of the American Federation of Labor, the Metal Trades Department, the Building and Construction Trades Department and its national arbiter.

Bath Room Accessories

SEC. 8. The placing and installation of all toilet and bath room accessories shall be the work of the members of the United Association excepting those made of clay products set in tile.

Marble

SEC. 9. In the matter of the amount of marble setting to be claimed by journeymen members, it shall be left to local discretion.

UNION LABEL

SEC. 10. (a) The United Association shall adopt a Union Label, as authorized and approved by the General Executive Board.

(b) The General Officers shall enact rules and regulations for the use of said Union Label by certain qualified employers.

(c) The right and privilege of using the Union Label of the United Association shall not be granted to an employer unless that employer signs a uniform Union Label Agreement providing for the privilege and for the use of said Union Label upon terms and conditions as set forth in said uniform Union Label Agreement.

(d) Before the use of the Union Label may be granted to any employer, such employer must be a party to a United Association Local Union Agreement and must agree to pay the building and construction journeyman's wage rate to all journeymen members in his employ, or employed in fabricating and assembling of pipe formations, and further, such employer must agree that when journeymen in his employ are employed on construction projects, he will pay the prevailing journeyman's building and construction wage rate contained in the United Association's national or the United Association's local agreement covering the place where the construction work is being done. An employer requesting the use of a Union Label who does not operate as a mechanical contractor or perform field work shall not be required to sign a Local Union Building and Construction Trades Agreement, but can sign a fabrication shop agreement with the Local Union.

(e) Labels shall not be used by any employer in any plant or shop other than the one named in said agreement.

(f) The Union Label shall be used only on pipe, pipe formations, fabricated or processed pipe, pipe work, fittings or fixtures where all of the fabrication, preparation or processing of the pipe for installation is done or performed by journeymen or apprentices receiving the building and construction wage rate. All such fabrication, processing or preparation of any pipe or pipe work or fixtures must be done in the plant, shop or establishment of the employer or on the job site by journeymen and apprentices receiving the building and construction wage rate.

(g) Every employer under the uniform Union Label Agreement with the United Association shall have a shop steward, and it shall be the duty of the shop steward to see and be responsible for the Union Label being placed on all piping, pipe fittings, fixtures and equipment that are fabricated or processed in said plant, shop or establishment. The Union Label must be applied to the piping or pipe fittings, fixtures and equipment in the plant, shop or establishment where fabricated or processed, and said label must at no time be removed.

(h) A valid Union Label of the United Association shall have the name and address of the employer and the Local Union printed on said label.

(i) It shall be the duty of every Local Union, District Council, and member of the United Association to make it generally known to the entire membership of the United Association that all piping, pipe fittings, fixtures and equipment fabricated and

processed in a plant, shop or establishment away from the job site shall be prepared by journeymen and apprentices receiving the building and construction wage rate.

(j) The General President shall have the right and authority to cancel or revoke the employer's use of the Union Label for any violation or breach of the terms of the uniform Union Label Agreement or for any other just cause.

(k) The United Association may adopt a separate Union Label for the fabrication, processing and assembling of all pipe and fixtures for a plumbing system in a fabricating shop. This Union Label shall be authorized and approved by the General Executive Board and its use shall conform to and be governed and controlled by subsections 10(a) through 10(j) inclusive.

(l) In exceptional cases and in order to meet competitive as well as technological changes in the plumbing and pipe fitting industry and to preserve and protect the United Association's trade jurisdiction, the General Executive Board may adopt a Union Label for employees engaged in modular and other new methods of construction and the General President is empowered to enact rules and regulations for its use and to enter into and execute Union Label Agreements with such employers whose terms may vary from the preceding subsections. Such Union Label Agreements may be executed in the name of the United Association alone or jointly with other building and construction unions.

CONVENTIONS

Regular Conventions

SEC. 11. Regular conventions of the United Association shall be held once every five (5) years. The date, time and place for holding the convention shall be set and established by the General Executive Board. The General Secretary-Treasurer shall notify all Local Unions as to the city designated where the convention will be held and the date the convention will open.

Representation

SEC. 12. The basis of representation of delegates to each convention shall be one (1) delegate for each Local Union, provided that said Local Union shall not have less than twenty (20) members in good standing during the fifth full month immediately preceding the month in which the convention is to be held, and one (1) delegate for each additional one hundred (100) members. A Local Union, whether a Building and Construction Trades Local Union, or a Metal Trades Local Union, or a combination Local Union, having less than twenty (20) members in good standing during the fifth full month immediately preceding the month in which the convention is to be held may combine with the nearest Local Union and if such Local Unions together have not less than twenty (20) members in good standing during the fifth full month immediately preceding the month in which the convention is to be held, they shall be entitled to one (1) delegate together. No Local Union shall be entitled to representation at conventions of the United Association until it has been affiliated at least one (1) year previous to the convention.

SEC. 13. For the purpose of determining the number of delegates to which a Local Union is entitled, only those members in good standing during the fifth full month immediately preceding the month in which the convention is to be held will be counted. The cash sheet of each Local Union for the fifth full month immediately preceding the month in which the convention is to be held shall be used to make this determination. All cash sheets shall be filed in the General Office not later than the 15th day of the fourth month prior to the date of the convention.

SEC. 14. (a) Each State or Provincial Association, having been organized and recognized by the General Office of the United Association for at least one (1) year prior to the United Association convention, shall be entitled to one (1) delegate. No member shall be eligible to act as a delegate to represent a State or Provincial Association to the International Convention unless he has been a member in good standing of a Local Union within the jurisdiction of said State or Provincial Association for a continuous period of two (2) years previous to his election. The State or Provincial Association delegate shall be the highest ranking weekly salaried elected officer. If the State or Provincial Association has no weekly salaried elected officer, the delegate shall be selected by secret ballot vote by the delegates to the State or Provincial Association, or if the by-laws of the Association do not provide for delegate voting, by secret ballot vote of the Business Managers of the affiliates who are members of the State or Provincial Association.

(b) Each District Council established in accordance with this Constitution that has a weekly salaried elected Business Manager shall be entitled to one (1) delegate, provided that only the weekly salaried elected

Business Manager may serve as the delegate and further provided that such Business Manager will not also serve as a delegate to the convention by virtue of his position as a weekly salaried elected officer of a Local Union. In the event that the Business Manager of the District Council is a weekly salaried elected officer of a Local Union and as such is entitled to serve as a delegate for his Local Union by virtue of his office, he shall serve as a delegate for the Local Union only and the District Council will have no delegate to the convention.

(c) The Quality Control Council of Canada (QCCC) shall be entitled to up to three (3) delegates. No member shall be eligible to act as a delegate to represent the QCCC unless he has been a member in good standing of a UA Local Union with QCCC members for a continuous period of two (2) years previous to his election and through the period of the convention and unless he is also a weekly salaried QCCC national or regional representative at the time of his election and through the period of the convention. The QCCC delegates shall be selected by secret ballot vote of the Business Managers of the UA Local Unions which have QCCC members among their membership. Such delegates shall serve as delegates for the QCCC only.

Delegates and Alternates

SEC. 15. All delegates to the convention shall be elected by secret ballot. Nominations of delegates shall be held by a Local Union at least twenty-five (25) days prior to the election. At least ten (10) days prior to the nomination meeting, notice shall be mailed to the last known address of all members in good standing of the Local Union setting forth (1) the

date and place of the nomination meeting, and stating that delegates to a convention will be nominated at the meeting; (2) the notice shall also state the date, time and place of the secret ballot election of delegates to the convention; and (3) the notice should state also that in the event of a tie vote and a runoff election is necessary, then the date, time and place of the runoff shall be so stated. Protests of an election of delegates to the United Association Convention shall be processed under the provisions of Section 125 of this Constitution.

SEC. 16. The candidate or candidates receiving the highest number of votes in the delegate election shall be declared the elected delegate or delegates. The candidates receiving the next highest votes shall be the alternates, by descending numerical order, and shall act in case of the inability of any regular delegate to attend the convention.

SEC. 17. No member shall be eligible as a delegate or alternate unless he shall have been a good standing member of the Local Union which he is to represent for at least the two (2) continuous years previous to his election and he remains in good standing from the date of his election through the period of the convention.

SEC. 18. The duties of weekly salaried elected officers of Local Unions shall also include serving as a delegate to the United Association convention for his Local Union.

Note: The interpretation of this section shall not mean that all weekly salaried elected officers are automatically delegates to the United Association Convention if the number of weekly salaried elected officers in a given Local Union

exceeds the number of delegates the Local Union is entitled to as defined in Section 12.

SEC. 19. The Recording Secretary of each Local Union shall, after the election of a delegate or delegates, immediately forward to the General Secretary-Treasurer upon the official credential form the names, card numbers and addresses of the members elected, and the General Secretary-Treasurer shall submit same to the Credentials Committee of the United Association.

SEC. 20. The credentials of delegates and alternates elected shall be filed at the General Office at least ninety (90) days prior to the date on which the convention shall be held.

SEC. 21. Each delegate shall be entitled to one (1) vote (this to include State and Provincial Association and District Council delegates also).

SEC. 22. The General Officers of the United Association as represented by the General President, Assistant General President, General Secretary-Treasurer, members of the General Executive Board, and International Representatives, along with the Special Representatives serving pursuant to Section 35, shall have all privileges and rights of a delegate at all International Conventions of the United Association.

Delegates Expenses - How Paid

SEC. 23. The expenses of delegates to the United Association Convention shall be defrayed from the Convention Fund of the United Association upon the following basis: each delegate shall be paid the standard rate of wages in his home town, and an expense allowance for a maximum of one (1) day's travel to

the convention site, for a maximum of one (1) day's travel from the convention site to his home, and for each day the convention is in session. Each delegate shall also be paid his round trip transportation based on regular coach air fare from the city where his home Local Union is located to the convention site by the shortest route. The expense allowance shall be \$150.00 per day. In the event any portion of the expense allowance or transportation allowance is not expended it shall be considered as compensation.

Wages in this section shall include the basic hourly wage rate established by the collective bargaining agreement of the delegate's Local Union, vacation contributions, and any other taxable contributions an employer is required to make that are not included within the basic hourly wage rate. Other contributions, including but not limited to health and welfare contributions, pension contributions, supplementary unemployment fund contributions, and apprentice and industry fund contributions, shall not be considered wages within the meaning of this section. Delegates shall receive a fixed sum of \$150.00 per day in addition to the expense allowance referred to above, to be defrayed from the Convention Fund of the United Association.

SEC. 24. Within a month prior to the date upon which a convention is to convene, the General Secretary-Treasurer shall cause to have a sufficient amount of money paid in advance to delegates, which amount of money will be charged as delegates' expense, and shall be in an approximate amount sufficient to pay the expense of the delegate or delegates in accordance with the allowance heretofore specified to the last day of the convention.

An Expense Committee shall be appointed by the General President prior to the convention, whose duty it shall be to estimate and recommend to the convention the proper amount to be allowed each delegate for transportation and each day's expense in accordance with previous section. If any money shall be due any delegate or delegates according to the report of the committee, as adopted by the convention, said amount shall be advanced by the General Secretary-Treasurer.

Resolutions and Amendments

SEC. 25. (a) All resolutions and amendments submitted for consideration by delegates shall be approved by their Local Union and filed at the General Office at least ninety (90) days prior to the date on which the convention shall be held, and no resolution or amendment otherwise submitted shall be considered by the convention unless by authority of a two-thirds vote of the delegates.

(b) Upon approval by a majority vote in a State or Provincial Association, or other recognized and affiliated United Association bodies, the association or other body shall be entitled to present resolutions to the United Association Convention, and the resolutions shall be signed by the President and Secretary of the State or Provincial Association or other body. Resolutions must be processed through the General Office in the same manner as provided in the preceding paragraph for resolutions submitted by Local Unions.

Appointment of Standing Committees

SEC. 26. The General President shall appoint the following standing committees: Committee on Credentials,

Committee on Rules and Order, Committee on Laws, Committee on State of Association, Committee on Appeals and Grievances, Committee on Resolutions, Committee on Jurisdiction, Committee on Officers' Reports, Committee on Convention Expenses, and Committee on Press.

Committee on Credentials

SEC. 27. The General President shall appoint a Committee on Credentials at least one (1) week before the meeting of the United Association Convention consisting of eight (8) members or such other number of members as the General President deems in the best interest of the United Association. This committee shall be in session at least twenty-four (24) hours before the time of the convention to receive and act on all credentials. They must be ready to report as soon as the convention is called to order.

Committee on Laws

SEC. 28. At least twenty (20) days before the meeting of the United Association Convention, the General President shall appoint a Committee on Laws, to be composed of seven (7) members. To this committee the General Executive Board shall submit such information, data and propositions as shall be deemed necessary to amend and improve the Constitution and General Laws.

SEC. 29. The Laws Committee shall meet at the General Office at least one (1) week previous to the convention and shall proceed assiduously to consider all information, data and propositions and they shall submit a report in full on all propositions favorably acted upon and substance of all propositions adversely acted upon to the convention. All amendments sub-

mitted during the sessions shall be referred without debate. It shall have leave to sit during session and shall have the right to report at any time during the convention.

Deceased Members

SEC. 30. The General President, at the hour of 11 a.m., on the second day of each convention of the United Association, shall rap his gavel, regardless of any other matter, and call on the delegates and guests attending the convention to stand in silence for one (1) minute in respect to our deceased members.

Special Conventions

SEC. 31. (a) Ten percent of the total number of Local Unions in good standing may propose the holding of a special convention of the United Association. By a majority vote of the membership of each Local Union, constituting a sufficient number of Local Unions to comprise 10 percent of the Local Unions in good standing, they will adopt a written proposition, not to contain more than five hundred (500) words, setting forth their reasons for such convention. Each Local Union so adopting such a proposition shall forward it to the General Executive Board through the General Secretary-Treasurer of the United Association. Once said proposition has been passed by a majority vote of the requisite 10 percent of Local Unions and forwarded to the General Executive Board, the General Secretary-Treasurer shall immediately forward the said proposition to all Local Unions of the United Association, asking them to take a vote of their Local Union endorsing or rejecting the proposition of holding a convention on a date specified. If within sixty (60) days from the date of sending the

above proposition out to the Local Unions, 25 percent of the general membership, by secret ballot, endorse the same, then the General Secretary-Treasurer shall immediately send to all Local Unions the necessary ballot to take a general secret ballot vote on the question, "Will the United Association hold a special convention on the date specified?"

(b) Each Local Union shall vote by secret ballot (yes or no) on the proposition to hold or not to hold a convention on the date specified, and shall immediately make returns of votes cast for and against by the members actually present and voting secretly.

SEC. 32. The General Secretary-Treasurer shall compile and publish the returns in the UA Journal, and it shall require a two-thirds majority of all votes cast to carry the proposition, and no proposition to hold a special convention shall be considered adopted if less than 55 percent of the good standing membership vote.

Change of Convention Decisions

SEC. 33. Decisions made by a convention shall not be changed between conventions, except by a referendum vote.

GENERAL OFFICERS AND THEIR DUTIES

SEC. 34. (a) The officers of the United Association shall consist of a General President, Assistant General President, General Secretary-Treasurer, six (6) Vice Presidents, and thirty-four (34) International Representatives. They shall be elected for five (5) years or until their successors are elected and installed, and all officers of the United Association shall devote eight (8) hours of their time each work

day to the business of the United Association. In addition, after his election and installation but no later than one (1) year prior to the next convention, the General President shall be empowered to appoint up to two (2) additional International Representatives, who shall be officers of the United Association. All full-time paid General Officers and International Representatives shall receive a two (2) week vacation annually with full wages.

(b) The General President, upon retirement, with the consent and approval of the General Executive Board, shall assume the title and position of General President Emeritus for life and shall perform such duties and undertake such assignments as the General President may from time to time request.

SEC. 35. (a) The General President is authorized to employ Special Representatives as the occasion arises, their compensation to be determined by him. Special Representatives shall be paid a weekly allowance in an amount authorized by the General Executive Board for hotel, meals and other incidental expenses and, in the event any portion of such allowance is not expended, it shall be considered as compensation. In addition, they shall be reimbursed for airplane, railroad and other transportation costs and such other extraordinary expenses as may be incurred in the discharge of their duties.

(b) They shall file an expense account for all reimbursable or extraordinary expenses upon forms furnished by the General Secretary-Treasurer. Such expense accounts shall be submitted to and approved by the General Executive Board. Special Representatives shall receive a two (2) week vacation annually with full wages.

(c) In employing Special Representatives pursuant to this section, the General President may establish titles for such personnel that are descriptive of the duties to which the personnel are assigned by the General President.

SEC. 36. (a) Recognizing that the General Officers and Special Representatives of the United Association do not work regularly scheduled hours and receive no compensation for overtime or premium pay and also recognizing that the General Officers and Special Representatives are required to pay varying amounts for lodging and meals, depending upon the city to which they travel, and recognizing that they must participate in cultural, civic, political, educational, charitable, social and other activities in addition to their basic duties as provided by the Constitution of the United Association and that such activities benefit the United Association, the Local Unions and the members; and further, that the time spent in such activities is unpredictable and unascertainable, the General Officers and Special Representatives are granted a weekly allowance, both for in-town and out-of-town work, respectively, which, in the case of out-of-town work, shall cover hotel and meals and other incidental expenses. Such General Officers and Special Representatives shall not be required to make a daily, weekly or other accounting to the United Association for such allowance as provided in this Constitution.

(b) In addition to the allowances set forth with respect to each particular General Officer or Special Representative, all United Association General Officers or Special Representatives or special employees shall be reimbursed for all air travel, railroad and other transportation costs and such other extraordinary expenses incurred by them in connection with their activities.

Eligibility

SEC. 37. (a) Any member of the United Association, provided he has been a continuous good-standing member for not less than three (3) years prior to election and has not reached his 65th birthday by the date of the election, and further provided either (1) that he is to serve as a delegate to the convention representing either a Local Union, a State or Provincial Association, or a District Council pursuant to Sections 12 through 14, or (2) that he is a General Officer or Special Representative having the privileges and rights of a delegate pursuant to Section 22, shall be eligible for any office in the United Association except for the office of Vice President. The office of Vice President shall be subject to the same foregoing eligibility requirements and, in addition, shall be subject to the following requirements. In order to be nominated for a position as Vice President of Districts 1, 2, 3, 4 or 5, a member must be a full-time salaried officer of either a Local Union or a District Council within his District. In order to be nominated for the position of Vice President of District 6, a member must be either (1) a full-time salaried officer of a Local Union or District Council within District 6, or (2) a full-time salaried officer or Special Representative of the United Association assigned to District 6, or (3) the Director of Canadian Affairs. Subject to the provisions of Section 56(c) of this Constitution, any General Officer or International Representative who reaches his 65th birthday while holding office shall be allowed to complete his current term of office.

(b) A member seeking to nominate himself or another member as a candidate for any office set forth in Section 34(a) of the Constitution must submit a

notice of nomination on a form provided by the United Association. A candidate may run for only one office and the notice must identify the office for which the candidate is nominated. The notice must be submitted to the General Secretary-Treasurer's office no later than forty-five (45) days prior to the start of the convention. The nomination process, including the ability to address the delegates, will be completed at the convention.

(c) The General Secretary-Treasurer shall be responsible for the administration of the foregoing requirements and the resolution of any disputes relating to the nominations and/or election prior to the appointment of the Election Committee. Any such decision of the General Secretary-Treasurer may be appealed to the General Executive Board within five (5) days of the decision.

(d) In the event of the death of any candidate for the position of General President, General Secretary-Treasurer or Assistant General President following the deadline for submission of nomination notices but prior to the election, the Election Committee shall immediately convene and provide for the re-opening of nominations for that office only. Furthermore, in the event of any other circumstance arising after the forty-five (45) day deadline in which the name of any candidate for whom a timely notice of nomination has been submitted will not appear on the ballot, the Election Committee shall promptly convene and decide upon an appropriate course of action.

Election

SEC. 38. (a) The election of General Officers of the United Association shall take place at the quinquennial convention, an absolute majority of all votes cast

being necessary for election. Should no candidate receive a majority of all votes cast upon the first ballot, then there shall be a new ballot taken, and all candidates shall be dropped from the list except the one who received the highest number of votes and the one receiving the next highest number of votes. All officers so elected shall take office on January 1, following.

All candidates running for General Officer may have one or more observers (the number to be determined by election officials). All observers must be delegates or candidates for office at the convention in which the election is being held.

Protests Arising During the Election

(b) The procedure for processing protests pertaining to the conduct of the election of General Officers of the United Association, that are raised or could have been raised during the election and prior to the certification of the vote, shall be as follows:

1. Any candidate, observer or delegate may raise a protest pertaining to eligibility to vote, the conduct of the election, the counting and certifying of the ballots or the fairness of the election by, either verbally or in writing, raising the protest with the election judge. The election judge shall be a member of the Election Committee selected by the Committee Chairman. If the election judge is unavailable, the protest may be brought to the attention of the Election Committee Chairman.

2. All such protests must be communicated immediately, at the time of the occurrence of the conduct that is the subject of the protest, or as soon thereafter as it is discovered, so as to provide the opportunity for

immediate resolution. In no event may such a protest be raised after the voting results have been certified at the conclusion of the tallying of the votes unless the complainant can show that the matter was not known and could not have been reasonably known or discovered through the use of an observer during the election.

3. The complainant shall provide the basis of his protest, all information that is relevant to the subject matter of the protest and the remedy requested.

4. The election judge is authorized to resolve any protest presented. He may also refer matters to the Committee as a whole or a subcommittee thereof. The election judge's, Election Committee's, or its designee's, decision shall be final and binding.

5. If the Election Committee determines that it is not able to resolve a protest prior to the certification of the election, it may refer the protest to the General Executive Board for resolution. The voting results may be certified notwithstanding the pendency of any protest. If a protest is referred to the General Executive Board, it shall be considered by the Board in accordance with the rules set forth below under the post-election protest procedure.

Post-Election Protests

(c) The procedure for processing protests pertaining to the election of General Officers of the United Association, that are raised after the vote has been certified, shall be as follows:

1. Any candidate, delegate or member may raise a protest pertaining to the election by submitting the protest to the election judge. A protest must be received by the election judge no later than the end of

the afternoon session of the fourth day of the current convention. The election judge shall forward all such protests to the General Executive Board for investigation and resolution. Protests can be submitted directly to the election judge or may be addressed to the judge and submitted to the UA Convention Office at the site of the current convention.

2. All protests shall be in writing and state the basis of the protest and shall include all information in support of and relevant to the subject matter of the protest and the remedy requested.

3. The General Executive Board has the authority to reject any protest that could have and should have been raised during the election with the Election Committee.

4. The General Executive Board may request additional information from the complainant, a candidate, a delegate or any other pertinent witness; may conduct a hearing; may assign a representative to investigate the protest; or may take any other action it deems necessary to investigate, consider and respond to the protest. The General Executive Board may delegate all or some of its responsibilities to a subcommittee or other designee.

5. The General Executive Board will issue a written decision within 90 days from the date the protest is received by the election judge. The General Executive Board's decision will be final and binding.

Obligation of General Officers

SEC. 39. Each General Officer, after being duly elected at a convention of the United Association, shall, in the presence of the delegates of the convention, take the following pledge and oath of obligation:

In the presence of the delegates of the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada, here assembled in convention, I (STATE NAME) _____ do hereby certify that I am familiar with the provisions and requirements of the Constitution and Ritual of the United Association and I do hereby pledge and obligate myself to perform the duties and obligations of the office to which I have been elected during my official term and thereafter in the manner and to the extent specified and intended by the Constitution and Ritual of the United Association, and that in the performance of my official duties I will require all members to comply fully with their duties and obligations and will give due consideration to the rights of all members without prejudice and without exception, and I will deliver to my successor all books, papers, monies or other property of the United Association which may be in my possession at the close of my official term, all in accordance with this pledge and obligation taken. I further pledge that all of my official acts while holding this position shall be just and honorable and I will work for the success of the United Association and the triumph of its principles.

General Officers Convention Report

SEC. 40. The General Executive Board with the General President and General Secretary-Treasurer shall make a Convention Report for all the General Officers of the United Association. The International Representatives shall submit their recommendations to the General Office at least three (3) months prior to the convention.

Pension Plans

SEC. 41. (a) The pension and retirement plan covering all Officers and Special Representatives shall be continued under a trust agreement and plan approved by the General Executive Board.

(b) Local Union Officers and Employees—The General Officers shall establish and maintain a National Pension Plan for full-time, salaried officers and employees of Local Unions, State and Provincial Associations, and District Councils. For the period January 1, 2007 to December 31, 2026, all Local Unions, State and Provincial Associations and District Councils shall contribute to the Plan according to a rate of contribution that is periodically set by the Trustees of the Plan, after consultation with the Plan's actuary.

The amount of contribution to the Pension Plan shall be in addition to the salary presently being paid to the full-time officers and employees. The General Officers are authorized and empowered to make the necessary actuarial study as the basis for the establishment of a pension plan and to determine the level of pension benefits, rules of eligibility, and all other terms and conditions of the pension plan. The General Officers are further directed and authorized to establish and maintain a Trust Fund, adopt a pension plan, and institute all the administrative procedures necessary to implement and carry out the establishment of a national pension plan for full-time salaried officers and employees of Local Unions, State and Provincial Associations, and District Councils, as of January 1, 1967.

Discipline of General Officers

SEC. 42. If any General Officer of the United Association is charged by ten percent (10%) or more of the UA Local Unions in good standing with having violated the Constitution of the United Association or his oath of obligation or with being negligent in his duties as an officer of the United Association, the charges shall be heard by the General Executive Board. The members of each Local comprising the 10% shall have approved the filing of the charges by a majority vote of those voting, by secret ballot, at a special meeting. The first Local Union filing the charges with the General Executive Board must do so within sixty (60) days of the discovery of the offense, stating with reasonable certainty the nature of the offense charged, the time and place of the occurrence, the date of discovery, the identities of the witnesses, and sections of the UA Constitution involved. Thereafter, additional Local Unions will have sixty (60) days from the date the initial charges are filed with the General Executive Board to adopt the charges in accordance with the same procedures used by the first Local Union and file the charges with the General Executive Board.

A copy of the charges must also be sent by each of the charging Locals to the General Secretary-Treasurer, who shall verify that the charges are supported by ten percent (10%) of the UA's good-standing Local Unions. If the General Secretary-Treasurer is an officer charged, the charges should be sent to the General President (or most senior General Officer not charged), who shall do the same. The charges will then be forwarded to the General Executive Board.

The Board will notify the charged party (parties) and the Business Manager of each of the charging

Local Unions of the date, time and location of the hearing. All parties may be represented by counsel, who must be good-standing members of the United Association.

Within thirty (30) days of the close of the hearing or the filing of briefs, if permitted by the General Executive Board, the General Executive Board shall render its decision which must be supported by majority vote. If the General President or a member of the General Executive Board is a charged General Officer, he may not vote or participate in the hearing except in his capacity as a charged party.

If the decision of the General Executive Board is not guilty, the charges shall be dismissed and there shall be no right of appeal.

If the charged officer is found guilty, he may be fined, reprimanded, removed from office, ordered to make restitution to the United Association, and/or expelled from the United Association.

If the decision of the General Executive Board is guilty, the General Secretary-Treasurer (or the General President or next senior General Officer if the Secretary-Treasurer and/or the General President are the charged parties) shall immediately send the decision to all Local Unions in good standing. Each Local Union shall be directed to schedule a vote on the question of whether the guilty verdict of the General Executive Board should be sustained. The vote shall take place at a special meeting no later than sixty (60) days from the date of mailing of the General Executive Board decision.

The verdict in each Local Union must be by majority vote of those voting by secret ballot. The President and Recording Secretary of each Local Union will

notify the General Secretary-Treasurer of the results of the vote.

If two-thirds (2/3) of the UA Locals in good standing vote in favor of sustaining the decision of the General Executive Board, and if removal from office was one of the penalties imposed, the general officer involved will immediately vacate his office and any other penalties imposed on him shall become effective. The decision of the Local Unions shall then become final and binding with no further appeals available.

The General Executive Board, if it sustains the charges against the charged General Officer(s), may suspend the officer(s) involved pending the vote of the Local Unions. If the Locals do not sustain the vote of the General Executive Board, the charged officer(s) shall be entitled to back pay and benefits for the period of suspension.

Funeral Expenses

SEC. 43. No funeral expenses of General Officers shall be paid from the general funds without the consent of the Local Unions of the United Association, except where an officer or a representative of the United Association is taken sick and dies away from home in the interests of the United Association; then the General Executive Board is empowered and is hereby instructed to take charge of the arrangements and pay all necessary expenses to place said officer or said representative in his home.

Vacancy in Office

SEC. 44. (a) Upon the death, disability or resignation of the General President, the Assistant General

President shall assume the duties of the General President. Within five (5) days after the assumption of the duties of the office of General President, the Assistant General President shall call and convene the General Executive Board to elect, by secret ballot, a successor to the office of General President for the balance of the unexpired term.

(b) Upon the death, disability or resignation of the General Secretary-Treasurer or the Assistant General President, the General President shall fill the unexpired term of such office, with the approval of the General Executive Board, within forty-five (45) days after the vacancy arises.

(c) The General President shall fill a vacancy arising in any other General Office, with the approval of the General Executive Board, within such a time frame as the General President deems appropriate.

Salary Adjustments

SEC. 45. Notwithstanding other provisions contained in this Constitution, the General President and the General Secretary-Treasurer shall be authorized between conventions to increase or decrease salaries of the General Officers, International Representatives and Special Representatives whenever, in their judgment, salary inequities exist or economic facts and circumstances or the financial well-being of the United Association warrant such action, provided such increase or decrease of salary shall be approved by the General Executive Board.

General President

SEC. 46. (a) It shall be the duty of the General President of the United Association to preside at all

conventions and meetings of the General Executive Board of the United Association and conduct the same according to the Constitution and rules of order, and should the meeting be equally divided by vote on any question he shall cast the deciding vote.

(b) He shall by virtue of his office serve as a credentialed delegate to the American Federation of Labor and Congress of Industrial Organizations Convention and all its affiliated departments and shall appoint all of the necessary delegates to these conventions, as well as to the Canadian Labour Congress and also to such other conventions as may be deemed necessary for the welfare of the United Association, and supervise the entire interests of the United Association, and endeavor to settle all disputes arising in the United Association, subject to appeal to the General Executive Board of the United Association.

(c) He or his authorized representative shall, after notice and hearing, have the power to suspend any Local Union of the United Association for violation of the laws and Constitution of the United Association or for any acts detrimental to the interest of the labor movement and the United Association.

(d) He shall sign all orders on the treasury for the payment of such monies as are legally authorized and shall issue the quarterly password. He shall sign all charters and submit to the General Secretary-Treasurer an itemized account of all monies expended by him in behalf of the United Association, which shall be paid by the General Secretary-Treasurer upon approval of the General Executive Board.

(e) In case of emergency he shall have authority to call a meeting of the General Executive Board.

(f) He is empowered to render decisions and to adjust disputes among affiliates of the United Association and/or others concerning the interpretation or application of this Constitution, and/or concerning any matter related to the United Association. He may delegate this authority pursuant to other provisions of this Constitution and he may, in his discretion, defer to decisions and adjustments of other officers rendered pursuant to their powers under this Constitution. All decisions of the General President shall be subject to appeal to the General Executive Board, except where specifically limited by this Constitution.

(g) He or his authorized representative may, in consultation with the General Secretary-Treasurer, inspect or audit the books and records of any Local Union or other affiliate upon receiving information that, in his judgment and discretion, raises the possibility that the Local Union or other affiliate may be subject to financial difficulty, misuse of funds or property, or violations of this Constitution.

(h) The General President shall appoint from among the International Representatives a Director of Organizing and Recruitment, a Director of Trade Jurisdiction, and such other directors of departments as are in the best interest of the United Association, all of whom shall be under the direct supervision and control of the General President. The compensation paid to the directors (other than the Director of Organizing and Recruitment and the Director of Trade Jurisdiction) shall be set by the General President.

The Director of Organizing and Recruitment and the Director of Trade Jurisdiction shall be paid an annual salary in the sum of \$271,040, and they shall

be paid a weekly allowance in an amount authorized by the General Executive Board for hotel, meals and other incidental expenses, and in the event any portion of such allowance is not expended, it shall be considered as compensation. In addition, they shall be reimbursed for air travel, railroad or other transportation costs and such other extraordinary expenses as may be incurred in the discharge of their duties.

They shall file an expense account for all reimbursable and extraordinary expenses upon forms furnished by the General Secretary-Treasurer. Such expense account shall be submitted to and approved by the General Executive Board.

(i) In localities where a strike or lockout by a combination of employers is threatened, the General President shall be empowered to investigate and arbitrate with the employers for the removal of the cause that prevents an amicable adjustment.

(j) The General President may appoint from among the International Representatives four (4) Administrative Assistants who shall be under the direct supervision and control of the General President, their salary to be determined by the General President subject to the approval of the General Executive Board. One Administrative Assistant to the General President shall be a citizen of Canada and assigned to assist the Director of Canadian Affairs in the Canadian office and will work under his day-to-day supervision and direction.

They shall be paid a weekly allowance in an amount authorized by the General Executive Board for hotel, meals and other incidental expenses and, in the event any portion of such allowance is not expended, it shall be considered as compensation. In

addition, they shall be reimbursed for air travel, railroad or other transportation costs and such other extraordinary expenses as may be incurred in the discharge of their duties.

They shall file an expense account for all reimbursable and extraordinary expenses upon forms furnished by the General Secretary-Treasurer. Such expense accounts shall be submitted to and approved by the General Executive Board.

(k) The General President shall appoint from among the Canadian members a Director of Canadian Affairs who shall be under the direct supervision and control of the General President, his salary to be determined by the General President subject to the approval of the General Executive Board.

He shall be paid a weekly allowance in an amount authorized by the General Executive Board for hotel, meals and other incidental expenses and, in the event any portion of such allowance is not expended, it shall be considered as compensation. In addition, he shall be reimbursed for air travel, railroad or other transportation costs and such other extraordinary expenses as may be incurred in the discharge of his duties.

He shall file an expense account for all reimbursable and extraordinary expenses upon forms furnished by the General Secretary-Treasurer. Such expense accounts shall be submitted to and approved by the General Executive Board.

(l) The General President shall appoint from among the International Representatives an Executive Vice President who shall serve at the pleasure of the General President. The Executive Vice President shall report to the General President and shall be charged with representing the United Association in meetings

and other events, as assigned by the General President, with public and private sector officials, owners, contractors and the general public. The Executive Vice President shall perform such other duties as are assigned by the General President. The salary for the Executive Vice President shall be determined by the General President, subject to approval by the General Executive Board. He shall be paid a weekly allowance in an amount authorized by the General Executive Board for hotel, meals and other incidental expenses and, in the event any portion of such allowance is not expended, it shall be considered as compensation. In addition, he shall be reimbursed for air travel, railroad or other transportation costs and such other extraordinary expenses as may be incurred in the discharge of his duties.

SEC. 47. The General President shall receive for his services the sum of \$428,400 per year. He shall be paid a weekly allowance in an amount authorized by the General Executive Board for hotel, meals and other incidental expenses and, in the event any portion of such allowance is not expended, it shall be considered as compensation. In addition, he shall be reimbursed for all air travel, railroad and other transportation costs and such other extraordinary expenses as may be incurred in the discharge of his duties.

He shall file an expense account for all reimbursable and extraordinary expenses upon forms furnished by the General Secretary-Treasurer. Such expense accounts shall be submitted to and approved by the General Executive Board.

Any expenditure above and beyond the weekly allowance that, in his judgment, is reasonably related to furthering the objectives and purposes of the

United Association and its membership, and is supported by vouchers, shall be considered extraordinary.

Assistant General President

SEC. 48. (a) The duties of the Assistant General President shall be to assist the General President and perform the work assigned to him by the General President. He shall be under the supervision and direction of the General President.

(b) He shall receive for his services the sum of \$367,663 per year and he shall be paid a weekly allowance in an amount authorized by the General Executive Board for hotel, meals and other incidental expenses and, in the event any portion of such allowance is not expended, it shall be considered as compensation. In addition, he shall be reimbursed for air travel, railroad or other transportation costs and such other extraordinary expenses as may be incurred in the discharge of his duties.

(c) He shall file an expense account for all reimbursable and extraordinary expenses upon forms furnished by the General Secretary-Treasurer. Such expense accounts shall be submitted to and approved by the General Executive Board.

Any expenditure above and beyond the weekly allowance that, in his judgment, is reasonably related to furthering the objectives and purposes of the United Association and its membership, and is supported by vouchers, shall be considered extraordinary.

(d) The General President may direct or delegate the Assistant General President to act for him in any manner wherever the General President deems it necessary or proper.

General Secretary-Treasurer

SEC. 49. (a) The General Secretary-Treasurer shall keep a true record of the proceedings of the United Association and meetings of the General Executive Board. He shall keep a correct list of all Local Unions, the numbers of same and the addresses of all the Business Managers and Secretaries of said Local Unions. This book shall be known as the United Association Roll Call, same to be kept in the office of the General Secretary-Treasurer. He shall attend to all correspondence, etc., which may not require the consideration of the General President and the General Executive Board. He shall communicate with each Local Union when necessary. He shall collect and receipt for all monies due the United Association.

(b) He shall keep a copy of all documents and communications issued from his office and have same properly indexed.

SEC. 50. He shall keep a correct and accurate list of the membership of each Local Union, including the number of journeymen and the number of apprentices and their financial standing. He shall record any disciplinary action taken against a member approved by the General Executive Board, and keep a record thereof.

SEC. 51. He shall keep a history of each member of the United Association.

SEC. 52. The General Secretary-Treasurer shall provide a semi-annual financial statement to each Local Union. The semi-annual financial statement shall be prepared by the General Secretary-Treasurer with the assistance of the Comptroller and audited by an independent certified public accountant. The independent certified public accountant shall render an

opinion on the statement which shall be included in the semi-annual financial statement provided to Local Unions. The semi-annual financial statement will cover the financial operations of the United Association and all United Association subsidiary organizations. The General Secretary-Treasurer shall, in due time, notify all Financial Secretaries of Local Unions to elect delegates to the convention. The General Secretary-Treasurer shall deposit all money, except for the petty cash fund, in such banks as may be designated by the General Executive Board. He shall procure a surety bond for every officer, agent, representative or employee of the United Association who handles funds or other property thereof, as required by law.

SEC. 53. (a) The General President and General Secretary-Treasurer shall have the power, when expressly authorized by the General Executive Board, to purchase, acquire, encumber, sell, lease, trade or exchange, improve or repair any real or personal property, including the United Association's headquarters building, and to execute contracts, guarantees, assignments, deeds, conveyances, mortgages, liens, loans and other instruments of writing, concerning any or all of such property for and on behalf of this United Association, wherever the same may be situated.

(b) In advance of each fiscal year, the General President shall submit to the General Executive Board for approval a proposed operating and capital budget for the coming year. The General Secretary-Treasurer shall, in conjunction with the General President, assist in preparing the annual operating and capital budget. The operating budget shall set forth the anticipated income and the source thereof and anticipated expen-

ditures and their purposes. The capital budget shall set forth, among other things, any anticipated major equipment purchases and significant renovations to real property. The General President and General Secretary-Treasurer shall promptly report any major deviation from the approved budgets. For purposes of this section, the term "major deviation" refers to any expenditure(s) that will result in budget overruns in excess of 10% of the total operating or capital budgets.

(c) All contracts shall be included in the operating and capital budgets. Any contract that cannot be terminated without additional costs within 90 days, or any contract that binds the United Association to costs in excess of \$50,000 must be reviewed by the United Association's attorney. Any contract that binds the United Association to costs in excess of \$500,000 must be reviewed by the United Association's attorney and approved by the General Executive Board.

(d) The General Secretary-Treasurer shall prepare a quarterly financial report, which shall contain a statement of assets, liabilities, and fund balance for each United Association Fund and subsidiary entity, and a statement of revenue and expenses for each United Association Fund and subsidiary entity. Consistent with the budget requirements in Section 53(b), the quarterly financial report will provide detailed budget information. The financial report will show year to date actual expenses, year to date budgeted expenses, and year to date expenses for the prior year. The General Executive Board will receive a copy of the quarterly financial report once it is finalized, and will review the report at its subsequent meeting with the General President and the General Secretary-Treasurer.

(e) The United Association shall employ a Comptroller to assist the General Secretary-Treasurer in managing the day-to-day financial operation of the United Association. The Comptroller shall be a qualified certified public accountant. The Comptroller, as part of his duties, shall assist the General Secretary-Treasurer in preparing the quarterly financial report. The Comptroller shall also, at all times, answer inquiries from the members of the General Executive Board about financial operations of the United Association. The United Association will also retain a certified public accounting firm to audit the books and records of the United Association and prepare a financial statement on a semi-annual basis. The outside accounting firm will review the work product, systems, and reports prepared by the General Secretary-Treasurer so as to ensure the accuracy of financial information provided to the General Executive Board. The accounting firm shall also prepare and file appropriate Department of Labor management reports and review internal financial controls and make recommendations in writing to the General Secretary-Treasurer for changes or modifications to the system of internal controls. A representative of the accounting firm shall meet with the General Executive Board at least on a semi-annual schedule. The accounting firm shall answer all inquiries from the General President, the General Secretary-Treasurer, and the members of the General Executive Board about the United Association's financial operations. The engagement letter for the certified public accounting firm shall be approved by the General Executive Board, and the certified public accounting firm cannot be terminated without the approval of the General Executive Board.

(f) In sanctioning or approving expenditures of the funds of the United Association, the General Executive Board shall have the authority to sanction any and all expenditures that are in their judgment reasonably related to furthering the objectives and purposes of the United Association and its membership, including but not limited to, such expenditures as are in accordance with standard practices, customs and procedures of the United Association.

SEC. 54. He shall be empowered to employ such help as is absolutely necessary and he shall submit to the General Executive Board for their approval a monthly statement of this expense together with the names of the employees and the salaries they receive.

He shall render decisions and adjust matters in dispute which arise out of the duties of the office of General Secretary-Treasurer as set forth in the Constitution. The decisions of the General Secretary-Treasurer shall be subject to appeal to the General Executive Board.

SEC. 55. (a) He shall receive the sum of \$367,663 per year to be paid in monthly installments and he shall be paid a weekly allowance in an amount authorized by the General Executive Board for hotel, meals and other incidental expenses, and in the event any portion of such allowance is not expended, it shall be considered as compensation. In addition, he shall be reimbursed for all air travel, railroad and other transportation costs and such other extraordinary expenses as may be incurred in the discharge of his duties.

(b) He shall file an expense account for all reimbursable and extraordinary expenses upon forms furnished by the General Secretary-Treasurer. Such expense accounts shall be submitted to and approved by the General Executive Board.

Any expenditure above and beyond the weekly allowance that, in his judgment, is reasonably related to furthering the objectives and purposes of the United Association and its membership, and is supported by vouchers, shall be considered extraordinary.

(c) He shall be given the privilege of a vacation of two (2) weeks each year, the same to be of one (1) duration or at intervals.

General Executive Board

SEC. 56. (a) The General Executive Board shall consist of six (6) Vice Presidents allotted to the following districts:

One from District No. 1-Connecticut, Delaware, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island and Vermont.

One from District No. 2-District of Columbia, Indiana, Kentucky, Maryland, Michigan, Ohio, Pennsylvania, Virginia and West Virginia.

One from District No. 3-Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, Oklahoma, Republic of Panama, South Carolina, Tennessee and Texas.

One from District No. 4-Illinois, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, North Dakota, South Dakota, Wisconsin and Wyoming.

One from District No. 5-Alaska, Arizona, California, Colorado, Hawaii, Idaho, Nevada, New Mexico, Oregon, Utah and Washington.

One from District No. 6-Canada.

(b) The General President and General Secretary-Treasurer shall have the discretionary authority to realign and reallocate the states that comprise the dis-

tricts of the six (6) Vice Presidents with the approval of the General Executive Board.

(c) Each Vice President must be a full-time salaried officer of a Local Union or District Council within his District, provided that the Vice President of District 6 may be the Director of Canadian Affairs. If a Vice President is no longer a full-time salaried officer of a Local Union or District Council within his District (or is no longer the Director of Canadian Affairs), for whatever reason, he must resign from his Vice President position within thirty (30) days of leaving that full-time salaried position (or leaving the Director of Canadian Affairs position). Any vacancy shall be filled in accordance with Section 44(c) of this Constitution.

SEC. 57. (a) The General Executive Board shall have full discretionary power over all things connected with the Association between conventions (except decisions made at conventions), and they shall furnish each convention with a detailed report of all proceedings of said Board.

(b) The General Executive Board shall have authority to approve the merger of any Union into the United Association and to take any action necessary to effectuate such mergers notwithstanding any provisions of the United Association Constitution to the contrary.

(c) The General Executive Board, upon recommendation from the General President, shall have the authority to effectuate the United Association's affiliation with, or disaffiliation from, any national, international or intermediate body, including organizations of international or national unions and councils or departments, whenever they determine it is in the best

interest of the United Association and its members to do so.

(d) The General Executive Board, upon recommendation from the General President, shall have the authority to make periodic adjustments to the expense allowances of the General President, the Assistant General President, the General Secretary-Treasurer, the members of the General Executive Board, the International Representatives (including the Executive Vice President, the Administrative Assistants, the Director of Organizing and Recruitment, the Director of Trade Jurisdiction, and such other directors of departments as are appointed by the General President), the Director of Canadian Affairs, and the Special Representatives.

SEC. 58. In all matters that go before the General Executive Board for its action, the involved Local Union or Local Unions shall be notified of the General Executive Board's disposition of the matter.

SEC. 59. (a) The General Executive Board shall meet at the close of each convention to organize and take up all propositions referred to them by the convention and they shall, at this time, allot the expense accounts of the delegates to the various conventions, departments and conferences of the American Federation of Labor and Congress of Industrial Organizations and such other committees as are necessary for conducting the business of the United Association.

(b) They shall be empowered to meet at any time during the interval between conventions that the majority of the Board deems necessary for the welfare of the United Association. They shall meet at the General Office or in such other convenient place or

city, as decided by the General President and the General Secretary-Treasurer, and all necessary expenses for such meetings shall be paid by the General Secretary-Treasurer.

(c) The General Executive Board shall carefully examine and pass upon all appeals for financial aid. The General Executive Board shall regulate all seals or protective designs to be distributed to the members of the United Association in such form as will be of service in protecting the labor of the members of the United Association, and shall prescribe such rules and regulations as they may deem necessary for the use of same.

(d) They shall receive for their services a salary of \$98,952 per annum. The General Executive Board, while in session, shall be paid the standard rate of wages paid in his home town or his daily wages received from his employment, whichever is higher; a daily allowance in an amount recommended by the General President and approved by the General Executive Board for hotel, meal and other incidental expenses, while in session; and, in the event any portion of such allowances is not expended, it shall be considered as compensation. In addition, they shall be reimbursed for all air travel, railroad and other transportation costs.

(e) They shall file an expense account for all reimbursable expenses upon forms furnished by the General Secretary-Treasurer.

SEC. 60. In all matters requiring action by the General Executive Board, when the General Executive Board is not in formal session, the General Executive Board may act by telegram, by letter, by conference telephone call, or by facsimile transmis-

sion or other electronic means. Whenever the General President or General Secretary-Treasurer require action by the General Executive Board, they may obtain the same by letter, by telegram, by conference telephone call, or by facsimile transmission or other electronic means among the members of the General Executive Board, and such members may take action on the matters brought to their attention in this manner. Such action so taken by the members of the General Executive Board shall constitute action by the General Executive Board as though the General Executive Board was in formal session.

SEC. 61. When a member of the General Executive Board does not act on matters referred to him in one (1) week's time after notification, the General President and the General Secretary-Treasurer shall take such action as they see fit for the best interest of the United Association with a view to removing said member of the Board, provided, however, that the neglect has not been caused by sickness or other just causes.

SEC. 62. The majority of four (4) members shall constitute a quorum and any action by said quorum shall be valid for all intents and purposes as though taken by the full membership.

SEC. 63. The Vice Presidents in their respective districts shall act as the legal representatives of the General President of the United Association.

International Representatives

SEC. 64. The General President shall compose districts and to each district one (or more) International Representatives shall be assigned by the General President, to assume duties therein until assigned to

another district by the General President. A minimum of four (4) International Representatives, who shall be citizens of Canada, shall be assigned to the Canadian district.

The International Representatives of this Association shall be under the supervision of the General President and when directed by the General President they shall have full power and authority to settle all disputes and grievances of any kind in or between Local Unions, District Councils, or State or Provincial Associations, or between members and Local Unions; and they shall have full power and authority to suspend and revoke the charters of Local Unions, District Councils, or State or Provincial Associations in accordance with the provisions of Sections 91 and 94 of this Constitution, when directed by and with the consent of the General President.

They shall, when not otherwise engaged, prepare an itinerary for Local Unions situated in their district, so as to avoid any unnecessary travel, including therein such unorganized towns whose importance would warrant a Local Union of the United Association.

SEC. 65. When traveling to a Local Union's jurisdiction, the International Representative shall so notify the Business Manager. The International Representatives shall carry out such responsibilities as are assigned to them by the General President. During meetings of the General Executive Board, the International Representatives will continue in their districts unless requested to be at such meetings by the General President.

SEC. 66. Each International Representative shall have a commission signed by the General President and General Secretary-Treasurer, and no member

except an officer of the United Association may act as an International Representative without such commission. All commissions shall expire on December 31st, or sooner, if so desired by the General President and General Secretary-Treasurer. The following is the form of commission:

**United Association of Journeymen and
Apprentices of the Plumbing and Pipe Fitting
Industry of the United States and Canada**

composed of journeymen and apprentices, who have jurisdiction over every branch of the plumbing and pipe fitting industry, affiliated with the American Federation of Labor and Congress of Industrial Organizations, Building and Construction Trades Department, Metal Trades Department, Union Label and Service Trades Department, Maritime Trades Department, and Canadian Labour Congress.

To Whom It May Concern:

This is to certify that _____ is hereby authorized and legally commissioned to act as _____ in any district in the United States and Canada to which he might be assigned, with full power and authority to found and install Local Unions, District Councils, and State and Provincial Associations, under the jurisdiction of the United Association; and with full power to settle all disputes or grievances of any kind in or between Local Unions, District Councils or State or Provincial Associations, or between members and Local Unions, when directed by the General President, and to suspend or revoke the charters of any such Local Unions, District Councils, or State or Provincial Associations, for violation of the Constitution, rules and established customs of the United Association, in accordance with

Sections 90 and 93 of this Constitution; and to obligate and initiate members and install officers in accordance with the laws of the trade or calling of which the Union is composed. Each International Representative shall have during the life of his commission all of the power and duties therein recited. This commission to remain in full force and operation from _____ to _____ unless revoked previous to the expiration of said term.

Given under our hand by approval and direction of the General Executive Board of the United Association, this _____ day of _____, 20____.

General President

General Secretary-Treasurer

SEC. 67. The General President shall prescribe such rules, subject to the approval of the General Executive Board, for the guidance and instruction of International Representatives as from time to time shall be deemed necessary. The General Secretary-Treasurer shall forward all supplies for new Local Unions to the official International Representative for that district, who shall deliver the same to the Local Union when organized.

SEC. 68. International Representatives shall furnish monthly to the General President a detailed report of the business transacted, and shall make such recommendations as in their judgment may be required for the welfare of the United Association and its Local Unions.

SEC. 69. Should an emergency arise, by direction of the General President, the International

Representatives shall cancel dates previously made and proceed as directed. They shall receive for their services the sum of \$231,942 per annum. They shall furnish a pre-convention report to the General Officers, with recommendations, and said report must be received at the General Office at least three (3) months prior to the convention.

SEC. 70. (a) All regular International Representatives shall be paid a weekly allowance in an amount authorized by the General Executive Board for hotel, meals and other incidental expenses and, in the event any portion of such allowance is not expended, it shall be considered as compensation. In addition, they shall also be reimbursed for all air travel, railroad and other transportation costs and such other extraordinary expenses as may be incurred by them in the discharge of their duties.

(b) They shall file an expense account for all reimbursable and extraordinary expenses upon forms furnished by the General Secretary-Treasurer. Such expense accounts shall be submitted to and approved by the General Executive Board.

SEC. 71. For any neglect of duty, the commission of an International Representative may be suspended by the General President and such International Representative shall stand suspended pending his appeal if he so desires to the General Executive Board, who shall ascertain all the facts in the case, and whose findings shall be final. Said International Representative may appeal to the next United Association Convention, but in the interim his commission stands revoked, and the General Executive Board shall in the event of the suspension, select a member of the United Association to fill his unexpired term.

JOURNAL

SEC. 72. The General Secretary-Treasurer shall cause to be issued from his office a journal, in magazine form, on a regular schedule nine (9) times per year. Said journal shall be edited and managed by him, under the direction of the General Executive Board.

SEC. 73. The official UA Journal shall be furnished free of charge to the members of the United Association. All matters relating to the UA Journal shall be controlled by the General Secretary-Treasurer and the General Executive Board.

GENERAL FUNDS

SEC. 74. (a) Each Local Union shall pay to the General Secretary-Treasurer a per capita tax of \$27.00 per member from the monthly dues of each Building and Construction Trades journeyman and apprentice and related classifications of membership who has not reached age 65. The per capita tax amounts set forth in this section are subject to the provisions of Section 74(i). Of these per capita tax amounts, the General Secretary-Treasurer shall deposit \$3.45 in the Burial Expense Benefit Fund for the purpose of the payment of burial expense benefits, \$1.75 in the Convention Fund for the purpose of defraying the cost of the convention, \$2.25 into the Organizing Fund for organizing the non-organized, \$.50 into the Education Fund and \$.50 into the UA Industry Advancement Fund. The United Association Political Issues Fund and the United Association Canadian Political Issues Fund shall continue to exist, but no further direct deposit of per capita will be made into these Funds. The General Secretary-Treasurer shall deposit the remainder of the per capita tax in the General Fund.

(b) Each Local Union shall pay to the General Secretary-Treasurer a per capita tax of \$26.00 per member from the monthly dues of each Metal Trades journeyman and apprentice and related classifications of membership who has not reached age 65. The per capita tax amounts set forth in this section are subject to the provisions of Section 74(i). Of these amounts, \$3.45 shall be placed in the Burial Expense Benefit Fund, \$1.75 in the Convention Fund, \$2.25 in the Organizing Fund, \$.50 in the Education Fund, and \$.50 in the UA Industry Advancement Fund. The United Association Political Issues Fund and the United Association Canadian Political Issues Fund shall continue to exist, but no further direct deposit of per capita will be made into these Funds. The remainder of the per capita tax shall be deposited in the General Fund.

(c) The per capita tax payable to the General Secretary-Treasurer on behalf of each member who has reached age 65 shall be \$20.00 per member regardless of classification. The per capita tax amount set forth in this section is subject to the provisions of Section 74(i). Of this amount, the General Secretary-Treasurer shall deposit \$11.55 of the per capita tax in the General Fund. The balance of the per capita tax shall be deposited in the Burial Expense Fund, the Convention Fund, the Organizing Fund, the Education Fund, and the UA Industry Advancement Fund in the amounts set forth in Sections 74(a) and 74(b).

(d) All members with fifty (50) years of continuous membership in the United Association, who have retired, shall no longer be required to pay dues or assessments to their Local Unions, notwithstanding the other provisions of Section 130 of this

Constitution, and, upon notification to the United Association on a form furnished by the General Secretary-Treasurer, their Local Unions shall be exempt from paying any further per capita tax on their behalf.

(e) All members with forty (40) years of continuous membership in the United Association, who have retired, shall be charged no more than ten dollars (\$10.00) in monthly dues by their Local Unions, notwithstanding the other provisions of Section 130 of this Constitution, and, upon notification to the United Association on a form furnished by the General Secretary-Treasurer, such members' Local Unions shall pay eight dollars (\$8.00) in per capita tax on their behalf.

(f) In order to support the organization of new contractors and members and expansion of the United Association's market share, Building and Construction Trades Local Unions, Combination Local Unions, and District Councils that administer a collective bargaining agreement shall contribute, on a monthly basis, ten cents (\$0.10) per hour worked by United Association members in their jurisdictions to the Organizing Fund in accordance with such rules and exceptions as are established by the General President and General Secretary-Treasurer.

(g) The United Association shall also receive 50 percent of all \$40.00 initiation fees, \$50.00 reinstatement fees, \$100.00 issuance of withdrawal card fees, \$100.00 reinstatement fees for members reinstating with a current paid up withdrawal card, \$100.00 for renewal of withdrawal card fees, and entire amount of \$3.00 charter fees on each charter member, together with sum total of all United Association assessments levied by the General Executive Board.

(h) Dues, initiation fees, fines and assessments imposed by Local Unions shall be placed in Local Union funds. Local Unions may also impose fines or assessments for failure to attend regular meetings or do committee work or to attend authorized meetings in the interest of the Local Union, not to exceed a maximum of \$5.00 for any one (1) offense. A Local Union Executive Board shall have the authority to excuse a member from such attendance requirements, when it finds the member has presented what it considers a justifiable reason for his absence. The Local Union Executive Board's decision in this regard shall be final, binding, and not appealable.

(i) The General President and General Secretary-Treasurer, with the approval of the General Executive Board, shall have the right to transfer monies to and from any of the United Association Funds, except the Political Issues Funds, as needed to protect the financial solvency of any particular Fund. Monies may only be transferred into the Political Issues Funds as needed to protect the financial solvency of the Political Issues Funds.

SEC. 75. Whenever the funds of the United Association shall fall below the sum of \$2.00 per capita, the General Executive Board shall levy an assessment on each member to replenish the same.

SEC. 76. When assessments are levied by the General Executive Board on the general membership, Local Unions shall collect and forward the entire amount within the date specified. For failure to collect same, they shall stand suspended after due notification by the General Secretary-Treasurer until the same has been collected and properly reported upon.

SEC. 77. (a) Any Local Union failing to pay per capita tax or assessments to the United Association for a period of three (3) months shall stand suspended. Should a Local Union become six (6) months in arrears for per capita tax to the United Association, its charter shall be subject to revocation by the General Executive Board.

(b) The General Secretary-Treasurer shall notify all Local Unions when two (2) months in arrears, but failure to receive such notice shall not prevent the suspension of a Local Union should it become three (3) months in arrears.

Investment Policy

SEC. 78. (a) The investment assets of the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada may be invested in bonds, notes, common stocks, real estate and other suitable investments.

(b) The United Association shall retain an Investment Consultant who shall advise the General President and General Secretary-Treasurer regarding the management of all investment assets of the United Association. The investment consultant will be required to assume fiduciary responsibility for advice given to the United Association. All investment assets of the United Association will be invested by Investment Managers selected by the General President and General Secretary-Treasurer. The United Association's Investment Managers must qualify as Investment Managers in accordance with Section 3(38)(B) of the Employee Retirement Income Security Act of 1974 and assume fiduciary responsibility for their investment manager duties. The

General President and General Secretary-Treasurer, with the assistance of the Investment Consultant, shall prepare an Investment Policy Statement concerning the investment of all investment assets of the United Association. All Investment Managers employed by the United Association must agree to abide by the Investment Policy Statement as part of a written contract to manage the assets of the United Association. The Investment Policy Statement will provide that the assets of the United Association are held in trust for the benefit of the United Association and its members, and that the assets will be invested in a responsible and prudent manner. Investment Managers will also be provided specific guidelines for the investment of assets under their control. In carrying out the United Association's investment program, the General President and General Secretary-Treasurer shall adhere to the fiduciary standards for union officers under the Landrum-Griffin Act. The General Executive Board must approve the selection of the Investment Consultant, the selection of the Investment Managers based on the advice of the Investment Consultant, and the Investment Policy Statement.

(c) The General President and General Secretary-Treasurer shall, with the assistance of the Investment Consultant, monitor the performance of the United Association's investments and shall meet with the United Association's Investment Consultant on a semi-annual schedule to review the performance of the Investment Managers. The Investment Consultant shall provide quarterly reports on the United Association's investments to the General President, General Secretary-Treasurer and the members of the General Executive Board.

(d) The General President shall be authorized to provide loans, grants and financial assistance to Local Unions, District Councils and other appropriate labor councils and organizations under such terms as approved by the General Executive Board. Such loans, grants and financial assistance shall not be considered investment assets of the United Association.

(e) The United Association's headquarters building, all furniture, fixtures, materials, supplies and equipment used in the operation of the United Association shall not be considered investment assets. These assets shall be under the control of the General President.

CHARTERS

Local Unions

SEC. 79. The United Association shall issue charters to three (3) classes of Local Unions: Building and Construction Trades Local Unions, Metal Trades Local Unions, and combination Local Unions.

Building and Construction Trades Local Unions

SEC. 80. Membership in a Building and Construction Trades Local Union shall be composed of journeymen and apprentices qualified and eligible to work under the jurisdiction of the Building and Construction Trades Department of the AFL-CIO.

Combination Local Unions

SEC. 81. Membership of a combination Local Union shall consist of qualified journeymen and apprentices eligible for membership in the jurisdiction of a Building and Construction Trades Local Union, and journeymen, apprentices and production

workers eligible for membership in a Metal Trades Local Union.

Applications for Charters

SEC. 82. Charters shall not be issued for a Building and Construction Trades Local Union or for a Metal Trades Local Union or a combination Local Union, in any city or town, unless there are at least eight (8) qualifying journeymen who make application for a charter. The application shall state the type and kind of Local Union to be chartered, and whether it shall be a Building and Construction Trades Local Union, a Metal Trades Local Union, or a combination Local Union. The names of the applicants shall be forwarded to the General Secretary-Treasurer who shall check such names from the records in the General Office and with the Local Unions in whose jurisdiction such applicants were formerly employed. The General Secretary-Treasurer shall furnish the necessary supplies without reference to the General Executive Board. The charter fee for each member shall be \$3.00, with the entire amount to be sent to the General Secretary-Treasurer.

Charters for Separate Branches

SEC. 83. In cities and towns where there is a combination Local Union, either branch of the combination Local Union may be granted a separate charter for its particular branch upon application of two-thirds of the membership of the entire combination Local Union who have been members of said Local Union for at least six (6) months previous to the application. The granting of such separate charter shall be subject to the approval of the General Executive Board.

Consolidation of Local Unions

SEC. 84. Whenever, in the judgment of the General President, it is apparent that there is a superfluous number of Local Unions in any locality, and that a consolidation would be for the best interest of the United Association, locally or at large, he shall have the power to order Local Unions to consolidate and to enforce the consolidation of said Local Unions, or said territory in one or more Local Unions, provided such course received the sanction of the General Executive Board.

Refrigeration or Speculative Housing and Residential Branches

SEC. 85. The General Officers are empowered to institute in existing Building and Construction Trades Local Unions or combination Local Unions divisions for organizing in the refrigeration or speculative housing and residential branches of the plumbing and pipe fitting industry. They are also empowered to set up any and all rules and regulations, including initiation fees and dues necessary for membership requirements. Building and Construction Trades Local Unions or combination Local Unions may set up such divisions upon application to, and approval by, the General Officers.

New Divisions of Membership

SEC. 86. The General President may establish new divisions of membership for any type of worker employed on any kind of work allied to or connected in any manner with the plumbing and pipe fitting industry, and workers in any other industries not allied or connected with the plumbing and pipe fitting industry, in order to protect the bargaining rights of

workers who are allied to or connected with the plumbing and pipe fitting industry.

District Councils

SEC. 87. (a) District Councils may be chartered and established at the discretion of the United Association. Upon the establishment of a new District Council, the United Association shall assign to the District Council such goals, duties and jurisdiction as the United Association determines to be appropriate. A District Council shall coordinate its activities with the appropriate State or Provincial Association or Associations to avoid duplication of programs.

(b) The Business Manager of each affiliated Local Union shall by virtue of his office be a delegate to the District Council. In the United States, any delegates to a District Council in addition to the Business Manager shall be directly elected by secret ballot by the members of the affiliated Local Union or else serve as a delegate according to a Local Union By-Law providing for such service by virtue of a Local Union office he holds.

(c) The delegates to the District Council shall elect the District Council officers by secret ballot. A nomination meeting shall be held at least twenty-five (25) days prior to the election. At least ten (10) days prior to the nomination meeting notice shall be mailed to the last known address of the delegates of the Local Unions of (1) the date and place of the nomination meeting and the offices for which candidates are to be nominated at the meeting, and (2) the date, time and place of the secret ballot election of officers.

(d) The District Council may elect as regular authorized officers a Business Manager, a Recording

Secretary, a Financial Secretary-Treasurer, and such other officers as may be required. The financial officer must forward a financial report to all affiliated Local Unions quarterly.

(e) The District Council has the right to levy regular monthly assessments or temporary ones upon affiliated Local Unions for the purpose of defraying necessary expenses.

State Associations and Provincial Associations

SEC. 88. (a) Each state and/or province, if a majority of the Local Unions who compose it desire, may form a State or Provincial Association, charter for same to be granted by the United Association. Where such State or Provincial Association exists it will be mandatory upon all Local Unions in that State or Province to affiliate.

(b) The Business Manager of each affiliated Local Union shall by virtue of his office be a delegate to the State or Provincial Association. In the United States, any delegates to a State Association in addition to the Business Manager shall be directly elected by secret ballot by the members of the affiliated Local Union or else serve as a delegate according to a Local Union By-Law providing for such service by virtue of a Local Union office he holds.

SEC. 89. State Associations, Provincial Associations, and District Councils may have such stationery as they may require for the proper conduct of their office. They shall also have the power to create by special per capita such funds as in their judgment seem wise, such funds to be used for the protection and promotion of the plumbing and pipe fitting industry in their respective jurisdictions.

Suspension of Local Unions

SEC. 90. (a) The General President or his authorized representative shall have the power to suspend any Local Union, District Council, or State or Provincial Association of the United Association for violation of the laws and Constitution of the United Association or for any acts detrimental to the interests of the labor movement and the United Association.

(b) The General President or his authorized representative shall cause to be served upon a Local Union a copy of the charges in writing together with a notice of the date, time and place of the hearing. Service of such written charges and notice of hearing must be made at least five (5) days before the hearing date. Service of the written charges and notice of hearing shall be made by either serving personally the Recording Secretary of the Local Union, or any duly elected officer thereof, or by serving by certified mail a copy of the charges upon the Recording Secretary.

(c) Any Local Union, District Council, or State or Provincial Association suspended by the General President or his authorized representative shall remain suspended until such affiliated body reports in writing that it has complied with the order of the General President or his authorized representative. The report of the Local Union, District Council, or State or Provincial Association must be approved by the General President and confirmed by the General Executive Board.

(d) Suspended Local Unions shall not receive supplies, benefits, reports or the password from the General Office until the order of suspension has been complied with. Any Local Union suspended by the General President or his authorized representative

shall lose for the period of its suspension, all monetary and membership privileges in the United Association, including District Pipe Trades Councils, and State or Provincial Associations of the United Association. All central labor bodies, state federations, and local Building Trades Councils shall be notified to exclude such delegates.

SEC. 91. The General President in exercising his powers under Section 90 may appoint from the membership of the United Association a hearing officer or officers to hear the charges preferred against any Local Union, District Council, or State or Provincial Association. The hearing officer or officers shall make a report, including findings and recommendations to the General President, who shall then issue his order based on the entire record.

Trusteeship

SEC. 92. (a) If the General President has or receives information which leads him to believe that any of the officers of a Local Union or other affiliated body are dishonest or incompetent, or that such organizations are not being conducted in accordance with the Constitution and laws of the United Association for the benefit of its members, or are being conducted in such a manner as to jeopardize the interests of the United Association or its affiliated bodies, (or if the General President believes that such action is necessary for the purpose 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 affiliated body), the General President may, after filing of charges or causing

charges to be filed, appoint a trustee to take charge of and control the affairs of such Local Union or other affiliated body including, but not limited to, removal of any or all officers, appointment of temporary officers and control of all funds and property of the Local Union or other affiliated body. Before the appointment of such trustee, the General President shall set a time and place for the hearing of charges before a hearing officer appointed for the purpose of determining whether such trustee shall be appointed; and further provided where, in the judgment of the General President, an emergency situation exists within the Local Union or other affiliated body, the trustee may be appointed prior to such hearing but such hearing shall then commence within twenty (20) days and a decision shall be made by the General President within sixty (60) days after the appointment of the trustee. In no event shall the person filing the charges be appointed as trustee.

(b) In all cases a copy of the charges, together with a notice setting the time and place of hearing including the name of the hearing officer, shall be served on the Local Union or other affiliated body at least ten (10) days (Sundays and holidays included) previous to the trial by serving either the President or Financial Secretary or any two (2) members of the Executive Board of the Local Union or other affiliated body personally or by certified mail.

(c) The Hearing Officer shall make his report and recommendations to the General President within sixty (60) days after the hearing or date of receipt of the transcript, and the General President shall make his decision within ninety (90) days of receipt of the report and recommendations. Such decision shall be immediately communicated to the Local Union or

other affiliated body involved. Appeals from such decision may be taken to the General Executive Board within thirty (30) days after receipt of the General President's decision upon the record made before the Hearing Officer, provided, however, that the decision of the General President shall be effective for all purposes during the pendency of such appeal. Appeal from the General Executive Board's decision may be taken to the convention in accordance with Section 210.

(d) The trustee shall make a report to the General President at least every three (3) months on the operation of the trusteeship. If the trusteeship extends one (1) year, within a reasonable time thereafter the trustee shall send to the last known address of each member of the Local Union or other affiliated body a financial report covering that year. Similar reports shall be sent to the members after each succeeding full year of the trusteeship. Either upon his own motion, or upon a petition filed by a member or members of the Local Union or other affiliated body for the restoration of self-government, the General President may in his discretion accord a hearing to be held on the petition before the General President or his representative upon proper notice. A decision shall be rendered within sixty (60) days of such hearing. No such petition shall be entertained, however, prior to six (6) months after the appointment of the trustee.

If the General President determines either upon his own motion or after hearing that self-government should be restored, the trustee shall direct nomination and election of officers at such time and place as he determines, provisions of this Constitution or the Local Union or other affiliated body's rules and by-laws to the contrary notwithstanding. If the trustee

determines the election of officers has been proper, he shall so certify to the General President and return to the appropriate officers all funds, property, books and records.

Revocation of Charter

SEC. 93. (a) In the event a suspended Local Union, District Council, or State or Provincial Association fails within fifteen (15) days to comply with orders of the General President or his authorized representative, the General President or his authorized representative shall have the power to revoke the charter of such Local Union, District Council, or State or Provincial Association, and the officers, representatives and members of such Local Union, District Council, or State or Provincial Association shall comply with all requirements of Section 96 of this Constitution before being relieved of responsibility and liability to the United Association.

(b) The revocation or forfeiture of a charter of a Local Union shall effect a termination of the membership of all the members thereof in the United Association. The General Executive Board may, in the exercise of its discretion, permit the members to be transferred without loss of continuous good standing to another Local Union in the area or to a reorganized Local Union. The General Executive Board shall have the power following a hearing to deny the right of transfer to all persons who were in any way responsible for the revocation or forfeiture of the charter, or who the General Executive Board has reason to believe are disloyal to the United Association or may cause disruption in the newly organized Local Union.

Forfeiture of Charter

SEC. 94. Whenever the records at the General Office (determined by the duplicate cash sheets of official receipts filed by a chartered and affiliated Local Union) show that there are less than seven (7) members in good standing, the charter of said Local Union shall be declared suspended and forfeited, and the officers, representatives and members of said suspended Local Union shall comply with all requirements of Section 96 of this Constitution before being relieved of responsibility and liability to the United Association.

When Local Unions Dissolve, Lapse or Forfeit Charter—Isolated Members

SEC. 95. (a) Whenever a Local Union from any cause, lapses or surrenders its charter leaving members in good standing who wish to retain their membership in the United Association, and no other Local Union exists near them, the Recording Secretary shall before surrendering the monies and property of the Local Union make an accurate list of such members, giving the name, date of membership, card number and full post office address of each member. This list shall be signed by the President and Financial Secretary, certifying to the good standing of the various named members. The Financial Secretary shall forward the same, with the notice and date of lapsing of the Local Union or surrender of the charter, to the General Secretary-Treasurer together with the necessary amount to pay for three months per capita in advance.

(b) Upon receipt of any such list with the money, the General Secretary-Treasurer shall fill out a regular

membership card and forward the same together with the receipt for the money to each member. Members holding regular membership cards so issued shall immediately notify the General Secretary-Treasurer of any change of address, and at the expiration of each month from the date of their card shall forward to the General Secretary-Treasurer the necessary amount to pay one (1) month's dues in advance together with the regular membership card for renewal. They shall be entitled to receive the changes in the password as long as they remain in good standing. Such members shall be bound by all of the provisions of the Constitution and pay any general assessments that may be levied.

(c) Members of the United Association whose membership cards are held in isolation as provided by the above subsection (a) may apply for and secure a travel or transfer card from the General Secretary-Treasurer of the United Association provided they meet all of the qualifications and requirements as set forth in this Constitution for the issuance and acceptance of a transfer or travel card by a Local Union, and sister affiliated Local Unions must honor and accept such transfer or travel cards in accordance with such requirements.

(d) Such members shall pay the same travel card dues as provided in said sections and shall be bound by all the provisions in the sections of the Constitution dealing with travel cards.

(e) Wherever the United Association assumes supervision or control over the affairs of a Local Union the General President or his designated agent shall issue or accept travel cards to or from members of Local Unions in conformity with the provisions of this Constitution dealing with travel cards.

SEC. 96. (a) In any and all cases where a chartered and affiliated Local Union by vote of its members dissolves or withdraws from affiliation with the United Association and in any and all cases where a Local Union, District Council, or State or Provincial Association charter is forfeited, suspended, or revoked in accordance with this Constitution, the charter, books, records, papers, monies, bonds or securities, and all other property of every description of said Local Union, District Council, or State or Provincial Association shall revert to and become the property of the United Association, and all of the same shall be immediately delivered to the office of the General Secretary-Treasurer of the United Association with a proper accounting of all of the financial and other affairs of the Local Union, District Council, or State or Provincial Association involved, and no officer, representative or member of said Local Union, District Council, or State or Provincial Association shall be relieved of responsibility and liability to the United Association until all of the requirements specified herein have been complied with.

(b) Any distribution or attempt at distribution to its members or to anyone else, except to the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada, of the charter, books, records, papers, monies, bonds or securities, and all other property of every description by the officers or members of said Local Union, District Council, or State or Provincial Association, either prior to, in anticipation of, or subsequent to, after action has been taken to dissolve, withdraw, suspend or revoke the Local Union, District Council, or State or Provincial Association charter, shall be illegal, and no titles to said charter,

books, records, papers, monies, bonds or securities, and all other property of every description shall pass thereby from the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada.

Restriction on Local Unions Withdrawing or Disaffiliating

SEC. 97. No chartered and affiliated Local Union shall dissolve or withdraw from affiliation with the United Association so long as seven (7) or more members in good standing of said Local Union vote to retain their Local Union charter, and their affiliation with the United Association.

SEC. 98. Before the members of an affiliated Local Union shall be permitted or required to vote on the question of dissolving or withdrawing from affiliation with the United Association, three months' notice in writing shall be given to the General Secretary-Treasurer. No vote shall be taken on either question by the members of any affiliated Local Union except at a specially called meeting, after due notice in writing to each and every member, designating the time and place of meeting and the purpose for which the special meeting is called. The vote shall be by secret ballot.

SEC. 99. Whenever a chartered and affiliated Local Union by secret ballot vote of its members at a specially called meeting in the manner specified in Section 98 of this Constitution decides to dissolve or withdraw from affiliation with the United Association, the officers of said Local Union shall immediately notify the General Secretary-Treasurer of the action taken, and all ballots cast together with

the tally sheet on the question to dissolve or withdraw from affiliation shall be forwarded to the General Secretary-Treasurer. The officers, representatives and members of said Local Union shall comply with all requirements of Section 96 of this Constitution before being relieved of responsibility and liability to the United Association.

LOCAL UNION OFFICERS AND THEIR DUTIES

SEC. 100. (a) Each Local Union shall elect a Business Manager, President, Vice President, Recording Secretary, Financial Secretary, Treasurer, Inside Guard, Executive Board of five (5) members, one of whom shall be the Vice President, and a Finance Committee of three (3) members. A Building and Construction Trades Local Union and combination Local Union shall also elect an Examining Board to examine and qualify all journeymen for membership and work in the Building and Construction Trades industry. Each officer elected by a Local Union must remain in good standing during his term of office. If he becomes suspended his office shall automatically be declared vacant and must be filled in accordance with the provisions adopted by the Local Union for filling vacancies.

(b) Each Local Union may provide in its By-Laws that Business Agents, who will assist the Business Manager, may be elected or appointed. A Business Agent hereunder shall work directly under the supervision and control of the Business Manager. A Business Agent shall be considered an officer if, and only if, the Local Union's By-Laws provide that his position is to be filled by election.

(c) Upon a vote of its membership and the approval of its Business Manager, a Local Union may request permission of the General President to establish separate elected Business Agent offices differentiated by trades, crafts, branches or regions covered by a Local Union's jurisdiction. This request shall be filed not less than sixty (60) days prior to the holding of nominations and shall set forth the Business Agent offices to be elected and the reasons supporting the request. Such request may, at the Local Union's discretion, provide for a combination of Business Agents in the Local Union who are elected by trade, craft, branch or region, Business Agents who are elected in descending order of votes received, or Business Agents who are appointed. If, after an investigation, it appears that the offices proposed would benefit the Local Union, the General President may, in his discretion, grant permission to the Local Union to establish such offices for one or more election cycles or on an indefinite basis and according to such eligibility and other rules that he deems appropriate. The General President may, in his discretion, withdraw such permission at any time, subject to the right of any affected Business Agent to complete his term of office. The General President shall also be empowered, in the absence of a Local Union request and for the best interest of the Local Union, to direct the Local Union to elect one or more of its Business Agents by trade, craft, branch or region.

Local Union President

SEC. 101. The President shall preside over all meetings and conduct the same in conformity with rules of order and common sense. He shall have a general supervisory control over all matters pertain-

ing to the welfare of the Local Union. The President shall be ex officio over all committees.

Local Union Vice President

SEC. 102. The Vice President shall be chairman of the Local Union Executive Board and have supervision over all members entering the assembly room and upon a member presenting his membership card in good standing he will give him the password. He shall also have supervision over all members departing from the room, assist the President to keep order during meetings, and in the absence of the President will assume the chair.

Business Manager

SEC. 103. The Business Manager has control and supervision over the daily affairs and business operations of the Local Union. The Business Manager meets in daily contact with the public and with employers becoming the trustee of the welfare of the members of the Local Union. It is his solemn duty and obligation to vigilantly protect the trade jurisdiction of the United Association in the plumbing and pipe fitting industry of his locality; also to compel employers to observe and respect collective bargaining agreements, adjusting all grievances between members of his Local Union and their employers with justice and fairness, as well as fostering and promoting employment for the members of the Local Union. The Business Manager alone shall be authorized to call special meetings of the Local Union. By virtue of his office, the Business Manager serves as a trustee on all fringe benefit trust funds of the Local Union.

SEC. 104. The Business Manager of each Local Union shall be Chairman of all Negotiating

Committees and shall immediately after the signing of the Local Union collective bargaining agreements, forward a copy of the agreements to the General Office so that the Local Union's negotiated wage rates can be filed with the appropriate federal, state or provincial agency. It shall be the primary duty and responsibility of the Business Manager to file copies of the Local Union's collective bargaining agreements, or any supplementary wage provisions, with the General Office in compliance with the mandate of the Constitution. The Business Manager shall also file monthly reports of Local Union man-hours with the General Office upon forms furnished by the General Secretary-Treasurer. All correspondence from the General Office pertaining to Local Union business shall be sent to the Business Manager.

Recording Secretary

SEC. 105. The Recording Secretary will keep a correct and intelligent account of all resolutions, motions, and the general business transacted at Local Union meetings; and perform any other duties, special or otherwise, that may develop upon him by action of the Local Union. He shall immediately after the election of officers forward to the General Secretary-Treasurer the names and addresses of the officers upon blanks furnished by the United Association. The Recording Secretary shall also handle all official correspondence to the UA Journal. The names and addresses of the Recording and Financial Secretaries shall be published in the official United Association Roll Call, classified by states.

Financial Secretary

SEC. 106. (a) The Financial Secretary shall keep a correct account of the financial standing of all mem-

bers of the Local Union, and receipt and account for all monies received or disbursed by order of the Local Union. He shall, not later than forty-eight (48) hours after the last day of the calendar month, forward to the General Office per capita in the amounts stated in Section 74 of the Constitution, 50 percent of all \$50.00 reinstatement fees, \$100.00 for issuance of withdrawal card fees, \$100.00 reinstatement fees for members reinstating with a current paid up withdrawal card, \$40.00 initiation fees, and \$100.00 for renewal of withdrawal card fees, and the sum total of all United Association assessments.

(b) These remittances shall be forwarded on the original cash sheets furnished by the General Office, the same to be countersigned by the President and Financial Secretary, and the duplicate cash sheet to be retained by the Local Union, subject to the inspection of the Finance Committee. The Financial Secretary shall record on the cash sheets the names of all members who have been initiated, reinitiated, and reinstated on deposit of withdrawal cards, as well as the renewed withdrawal cards and transfer cards which have been accepted.

SEC. 107. It shall be the duty and responsibility of the Financial Secretary to obtain a surety bond for the Local Union so that every officer, agent, representative or employee of the Local Union who handles funds or other property of the Local Union shall be bonded as required by law.

SEC. 108. The Financial Secretary shall require all members to affix their signatures upon the membership roll book, also upon the back of the membership cards and on travel cards and transfer cards.

SEC. 109. (a) The offices of Financial Secretary and Treasurer may be combined into one office, to be

known as Financial Secretary-Treasurer, if the interests of the Local Union are benefited thereby.

(b) The Local Union may combine the office of Business Manager with the office of Financial Secretary or the office of Financial Secretary-Treasurer after an application has been made to the General President and he has approved the combining of these offices. The same application and approval procedure must be followed to separate a combined office of Business Manager/Financial Secretary or Business Manager/Financial Secretary-Treasurer.

Treasurer

SEC. 110. The Treasurer shall deposit Local Union funds, pay Local Union obligations, and handle all money and property for which he is responsible in accordance with the laws and policies of the Local Union and the United Association.

Inside Guard

SEC. 111. The Inside Guard of each Local Union shall have charge of the door and be under the direct supervision of the Vice President.

Local Union Executive Board

SEC. 112. Every Local Union shall elect an Executive Board of five (5) members, which shall include the Vice President of the Local Union who by virtue of his office shall be a member thereof and chairman of the Executive Board. They shall meet at least once in every month and the Local Union Executive Board shall be empowered to comply with the direction of the General Executive Board of the United Association as provided in this Constitution.

SEC. 113. The Local Union Executive Board shall, between the meetings of the Local Union, transact such business as may be referred to it by the Local Union, or the duly elected Local Union officers.

Local Union Examining Board

SEC. 114. (a) Every Building and Construction Trades Local Union and combination Local Union shall elect an Examining Board for the purpose of examining and determining the qualifications of all applicants as Building and Construction Trades journeymen in said Local Union, and before said applicant is admitted and initiated as a journeyman member of said Local Union, and thereby eligible to work in the jurisdiction of the Building and Construction Trades Department of the AFL-CIO, he must pass said examination.

(b) An apprentice member of the Local Union having successfully completed his five-year apprenticeship program, and having been certified by the Joint Apprentice Committee, shall not be examined by the Local Union Examining Board and shall automatically be entered on the rolls of the Local Union as a journeyman.

Finance Committee

SEC. 115. Each Local Union shall elect a Finance Committee of three (3) members who shall all serve for the same term in office as the other officers of the Local Union. The Finance Committee shall examine the bank books and bank accounts and count all money in the possession of the Financial Secretary and Treasurer. They shall, if they deem it necessary, require a bank statement from the cashier of the bank in which Local Union monies are deposited, and they

shall report their findings at the first regular meeting in the following month.

SEC. 116. The Finance Committee shall have power to examine the accounts of the different officers anytime they deem it necessary to do so, and any officer or member refusing to deliver to such Finance Committee any books, papers, or other matter necessary for such examination, or who shall in any manner harass the Finance Committee in the discharge of their duties, shall be assessed not less than \$25.00.

Legislative Committee

SEC. 117. It shall be the duty of all Local Unions attached to the United Association to appoint a special committee of three (3), to be known as the Legislative Committee, whose duty it shall be to investigate the various systems of work installed in their vicinity. It shall be the duty of said committee to try by all possible and legitimate means to elevate the standard of work done and report from time to time to the General Secretary-Treasurer such progress as may have been made towards perfect sanitation.

Committee for Political Education

SEC. 118. Each Local Union shall establish a Committee for Political Education. The members of the committee shall be appointed by the Business Manager. The duties and functions of the committee shall be to educate the membership and the public on the issues and candidates in state, municipal and national elections; to encourage and assist members and their families to register and vote in elections; and to coordinate the Local Union's political activities with the trade unions in the area.

Journeyman Training

SEC. 119. Each Local Union shall continually encourage and promote journeyman upgrade training to enable journeyman members to acquire a full and complete knowledge of the advancements and new techniques and skills in the craft or trade covered by the jurisdiction of the Local Union.

Recruitment and Training of Apprentices

SEC. 120. (a) All Local Unions of the United Association shall maintain appropriate programs dedicated to the recruitment and training of apprentices.

(b) All Local Unions shall include in their training programs, courses on the history of the Union movement, United Association heritage, and the responsibilities of today's Union members.

(c) All Local Unions shall include in their training programs, courses on safe practices in the workplace which reflect the high standards of the United Association on health and safety matters.

Eligibility for Office in Local Unions

SEC. 121. No member shall be eligible to be nominated for office in any Local Union unless he shall be a journeyman member and shall have been a member of the United Association and the Local Union in good standing for at least a period of two (2) years immediately prior to the election. Any journeyman member who owes or has paid a reinstatement fee within a period of two (2) years immediately prior to the date of the election shall not be eligible to be nominated for office in any Local Union. A member who is not attending the nominations meeting for any reason shall be permitted to accept a nomination by sub-

mitting a written notification identifying the office for which a nomination is accepted to the person or persons designated by the Local Union's By-Laws or, if no person is designated by the Local Union's By-Laws, to the Business Manager, President, or Recording Secretary. Local Unions may accept such written notification up until the start of the nominations meeting or within a short period of time after the nominations meeting determined by the Local Union. Self-nominations shall be permitted. See Section 123(c) regarding eligibility to be nominated for office in a mail ballot election and see Section 160(c) regarding eligibility of contractor members to run for or hold union office.

Election of Local Union Officers

SEC. 122. (a) All officers of Local Unions shall be elected for a term of not less than three (3) years. Nomination of officers for Local Unions shall be held during the months of May or November, and the election shall be held during the months of June or December and not earlier than twenty-five (25) days after the nomination meeting. At least ten (10) days prior to the nomination meeting, notice shall be mailed to the last known address of all members in good standing, setting forth (1) the date and place of the nomination meeting and the offices to be filled; (2) the date, time and place of the election meeting; and (3) the notice shall state also that, in the event of a tie vote and a runoff is necessary, the date, time and place of the runoff shall be stated. In an election of Local Union officers, a member may only be nominated for one (1) of the offices set forth in Section 100.

(b) The election shall be by secret ballot at such place or places as shall be established by the Local

Union. It shall be the duty of the Local Union to provide safeguards for the honest and fair conduct of such election, including the granting of the right of each nominee in such election of at least one (1) observer at the candidate's own expense at each polling place who must be a member of the Local Union in good standing. Voting by writing in the name of a person not nominated shall not be permitted. The candidate for each office who receives a plurality of the votes cast shall be declared elected. Where several positions in one office must be filled, as in the case of the Executive Board, Examining Board or Finance Committee, etc., the candidates shall be elected in the descending order of the votes received, starting with the candidate receiving the highest number of votes cast. In case of a tie of two or more candidates, a runoff election shall be conducted among those candidates. If, after the close of the period for nominations, only one person is nominated for an office and the candidate is determined to be eligible for office, the candidate may be declared elected to the office and the office may be excluded from the ballot.

(c) All Local Unions of the United Association are to immediately amend their Local Union By-Laws to provide for the filling of vacancies in Local Union offices by either appointment or election, as the Local Union may determine.

(d) In an election of Local Union officers, an officer holding an office that is not up for election is not eligible for nomination to some other Local Union office set forth in Section 100 unless he first resigns the office he holds. His resignation must be written and filed with the Local Union prior to the mailing of nomination meeting notices.

(e) The General Executive Board shall have full discretionary authority to waive the time requirements of Section 122 for Local Unions that hold an election of officers six (6) months prior to the United Association Convention. The General Executive Board shall determine the months to which the Local Unions shall advance the holding of their elections of officers. An advancement of a Local Union's election of officers under this section shall not affect the term of office of incumbent officers. Where a Local Union holds nominations for Local Union offices at the same time it nominates delegates and alternates to the United Association Convention a member may be nominated for either a full-time salaried office or as a United Association Convention delegate or alternate, or both.

Mail Balloting

SEC. 123. (a) Mail balloting may be authorized in elections of Local Union officers under the following conditions: The Local Union membership shall, at either a special or regular meeting, by appropriate motion, file a request with the General President for permission to use the mail ballot. This request shall be filed with the General President thirty (30) days prior to the holding of nominations and shall set forth the reasons why mail ballots are necessary. The General President may, in his discretion, for the best interest of the Local Union and the United Association, grant or deny such request. The General President may, in his discretion, for the best interest of the Local Union and the United Association, order that an election of Local Union officers be held by mail ballot in the absence of a request from the Local Union membership.

(b) The General President shall prescribe guidelines concerning the use of the mail ballots so that the

integrity and secrecy of the ballot box may be safeguarded. When the General President authorizes the use of a mail ballot, he may also authorize the Local Union to move its nominations and elections one (1) month earlier than the times prescribed in Section 122(a), with installation of officers to occur during the same month the Local Union previously installed their officers. The decision of the General President shall be final and binding and there shall be no appeal from his decision granting or denying the request of the Local Union to use a mail ballot.

(c) No member shall be eligible to nominate candidates for or vote in a mail ballot election of officers unless he has been a member in good standing in the Local Union where the vote is being taken for a period of one (1) year immediately prior to the date which is seven (7) days prior to the mailing of the ballots. No member shall be eligible to be nominated for office in a mail ballot election in any Local Union unless he shall be a journeyman member and shall have been a member of the United Association and the Local Union in good standing for at least a period of two (2) years immediately prior to the date which is seven (7) days prior to the mailing of the ballots. Sections of the Constitution regarding eligibility of member contractors to nominate candidates, vote or run for Local Union office shall also apply in mail ballot elections.

Eligibility to Nominate and Vote in Local Union Election

SEC. 124. (a) No member shall nominate candidates for or vote in any election of any description unless he has been a member in good standing in the Local Union where the vote is being taken for a peri-

od of one (1) year immediately prior to the date of election. Any member who owes or has paid a reinstatement fee within a period of one (1) year immediately prior to the date of election shall not be eligible to nominate candidates for or vote in any Local Union election. See Section 123(c) regarding eligibility in a mail ballot election of officers and Section 160(a) regarding eligibility of contractor members to vote.

(b) The General Secretary-Treasurer will upon request of the Business Manager or the Financial Secretary of a Local Union furnish an eligibility list indicating those members eligible to nominate, vote and seek office in Local Union elections.

(c) The request for such list should be made at least thirty (30) days prior to nominations in the Local Union.

Protest of Local Union Elections

SEC. 125. (a) A protest of the conduct and validity of any Local Union election shall be filed with the General 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 Local Union. The protest shall clearly and specifically set forth the grounds upon which the protesting member relies to set aside or invalidate the election. The General President shall refer the protest to one of his representatives, who shall conduct an investigation and render a decision. A member or the Local Union not satisfied with the representative's decision must appeal, in writing, within three (3) working days to the General President. The General President shall have the right to affirm, reverse, modify or change the decision of his representative or enter such other deci-

sion as the facts in his discretion warrant. The decision of the General 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 Union for nomination for office in a Local Union shall be made to the Local Union immediately by the protestant upon discovery of the grounds of ineligibility. Appeal may be taken from the decision of the Local Union to the General President, whose decision shall be final, binding and conclusive, and there shall be no further appeal.

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

Obligation of Local Union Officers

SEC. 126. Before entering upon the duties of his office, each elected officer of the Local Union shall take the following pledge and oath of obligation:

I, _____, in the presence of the members of Local Union _____ of _____, in addition to the pledge of honor and oath of obligation taken as a member, do further pledge and obligate myself on my word of honor that I will, to the best of my ability, perform the duties and obligations of the office to which I have been duly elected, as laid down in the Constitution and usages of the United Association until my successor is duly elected and installed; that I will sacredly guard, protect, preserve and deliver to my successor in office all books, papers, monies or other property of this Local Union which may be in my pos-

session at the conclusion of my official term, and should the Local Union lapse or cease to function, I will convey and deliver all such books, papers, monies or other property of this Local Union to the officer legally authorized to receive the same under the Constitution of the United Association; and I further pledge that all of my official acts while holding this position shall be just and honorable and I will work for the success of the United Association and the triumph of its principles.

DISCIPLINE OF OFFICERS

SEC. 127. (a) Officers of a Local Union may be fined, reprimanded, or removed from office, for just cause, after notice and trial. Charges may be preferred against any officer by a member of the United Association in good standing who has personal knowledge of the offense committed. The charges shall be made in writing to the Local Union to which the officer is attached, within sixty (60) days after discovery of the offense, stating with reasonable certainty the nature of the offense charged, the time and place of the occurrence, the date of discovery of the offense, naming the witnesses and the sections of the laws of the Local Union and the Constitution of the United Association that have been violated by the officer, and it shall require a majority vote of the membership in attendance at a regular or special called union meeting to whom the charges are referred, to accept such charges, and the charges must be signed by a member of the United Association, in good standing.

(b) When the charges have been made and are accepted by the Local Union as hereinbefore provid-

ed, the entire matter shall be referred to the Local Union Executive Board for hearing. A copy of the charges, together with a notice setting the time and place of hearing, shall be served the accused officer at least ten (10) days before the hearing.

(c) The Local Union Executive Board shall hear all witnesses and, if the charges are sustained, shall then make its findings and recommendation of a fine, reprimand, or removal from office, to the Local Union at the next regular or special meeting. On a report of the charges being sustained by the Local Union Executive Board, it shall take a two-thirds vote of the members of the Local Union in attendance at a regular or special called meeting of the Local Union to sustain the charges and remove the officer, or fine or reprimand him.

(d) Any officer disciplined under the provisions of this section shall be entitled to appeal the decision of the Local Union to the General Executive Board. The General Executive Board may, in its discretion, stay the execution of the Local Union's decision until the action on the appeal is concluded.

LOCAL UNION FUNDS

Initiation Fee

SEC. 128. (a) The initiation fee shall not be less than \$40.00 in any Local Union of the United Association that has been organized more than six (6) months, however, the General Executive Board has the power to grant a Local Union a dispensation for a lesser fee for a period not to exceed three (3) months.

(b) The initiation fee for a person who is brought into membership in any Local Union of the United

Association through organizing shall be not more than \$200.00.

SEC. 129. In the event an applicant meets the requirements for membership in a Local Union but fails to appear for initiation without a reasonable excuse on more than one occasion, the Local Union may declare forfeited any portion of the initiation fee paid by the applicant. This rule shall be printed on the membership application.

Monthly Dues and Working Assessments

SEC. 130. (a) The dues of each member of a Local Union who has not reached the age of 65 shall not be less than thirty-one dollars (\$31.00) per month. The dues of each member who has reached age 65 shall not be less than twenty-four dollars (\$24.00) per month. Notwithstanding the foregoing, a Local Union may set dues for its permanently disabled or permanently retired members at less than the minimum rates set forth above, or, if it so elects, waive the dues of such members altogether, as long as the Local Union continues to remit full per capita on behalf of such members. To qualify for this exemption, the member must not be working in the industry and have no expectation of ever returning to such work in the future. The dues of a new member shall commence from the date of initiation. Members initiated in any Local Union before the 20th of the month shall pay dues for that month. On and after the 20th of the month, the dues shall commence on the first of the following month.

(b) Each member of a Local Union who performs work within the trade jurisdiction of the Local Union, except a Metal Trades member who performs Metal Trades work, shall pay a working assessment to the

Local Union of not less than one-and-a-half percent (1.5%) of gross wages for each hour worked. In the preceding sentence, the reference to “each hour worked” shall not be construed to prevent a Local Union from adopting a working assessment that is defined in terms of hours paid and the exception of Metal Trades members from the minimum required assessment shall not be construed to prevent a Local Union from adopting a working assessment of any amount for Metal Trades members. For purposes of this subsection, the term “working assessment” shall include a Local Union’s working assessment and any separate assessments that the Local Union uniformly collects from its members for marketing, organizing or other purposes. The term “working assessment” shall not, however, include any assessment or portion of an assessment supporting a Local Union death benefit program, nor shall it include any contribution collected from the member and placed in a federal or state-registered political action committee.

(c) A Local Union shall increase dues or levy an assessment upon the membership by a majority vote by secret ballot after written notice shall have been given to the membership of the intention to vote upon the dues increase or the levying of an assessment. The written notice shall set forth the time and place where the vote will be taken, either at a regular or special membership meeting.

No Division or Transfer of Funds

SEC. 131. The funds or property of a chartered and affiliated Local Union may not be divided in any manner among the members, individually or collectively, but shall remain the property of the Local Union so long as seven (7) members remain in affili-

ation with the Local Union, and so long as the Local Union maintains good standing and remains in affiliation with the United Association.

SEC. 132. A Local Union may hold funds or property in its own name or in lawfully created holding entities, including trusts. All Local Union funds and property, whether held in Local Union accounts, trusts, holding entities or otherwise, are assets of the Local Union subject to all of the obligations of Local Unions under the Constitution and laws of the United Association.

Forwarding Monies to the General Office

SEC. 133. Each Local Union shall forward to the General Office not later than forty-eight (48) hours after the last day of the calendar month the required per capita tax of the monthly dues of each Building Trades journeyman and apprentice and related classifications of membership and each Metal Trades journeyman and apprentice and related classifications of membership; 50 percent of \$50.00 reinstatement fees, \$100.00 issuance of withdrawal card fees, \$100.00 reinstatement fees for members reinstating with a current paid up withdrawal card, \$100.00 withdrawal renewal fees, and \$40.00 initiation fees; and the sum total of all United Association assessments upon the original cash sheets furnished by the General Office, the same to be countersigned by the President and Financial Secretary of the Local Union, and the duplicate cash sheet to be retained by the Local Union.

SEC. 134. Any Local Union failing to report to the General Secretary-Treasurer within forty-eight (48) hours after the last day of the calendar month shall be notified by the General Secretary-Treasurer to do so, and failing to comply within ten (10) days from such

notification, the Local Union shall stand suspended from all benefits.

SEC. 135. If the Financial Secretary of any Local Union fails to report to the General Secretary-Treasurer within forty-eight (48) hours after the last day of the calendar month, the General Secretary-Treasurer shall notify the President of the said Local Union and if the President fails to comply within fifteen (15) days from such notification, both he and the Financial Secretary of the Local Union shall stand suspended from all benefits the same to be published in the following issue of the UA Journal.

Handling of Funds and Property

SEC. 136. Any officer or member of any Local Union, District Council, State Association, Provincial Association or other affiliated body who (1) shall refuse to turn over the books, bills, receipts, vouchers or other records when a proper request has been made upon him, or (2) shall destroy any books, bills, receipts, vouchers or other records, or (3) shall be indebted to any affiliated body by reason of any shortage of funds, accounts, or securities entrusted to him, or (4) shall obtain money or benefits by false or fraudulent means, or (5) shall misuse the funds of any affiliated body, or (6) shall misappropriate any money or property belonging to an affiliated body, may be tried in the manner provided for the trial of offenses under this Constitution and, after being charged and found guilty, shall be suspended, expelled or otherwise disciplined. Said officer shall be permanently disqualified from holding any office or representing members of the United Association in any capacity, provided, however, that exceptions or modifications to such disqualification may be made where it is determined that

unintentional mistakes or errors were made and no intent to defraud the affiliated body is evident.

GENERAL PROVISIONS GOVERNING LOCAL UNIONS

Protect Jurisdiction of Work

SEC. 137. Local Unions must at all times fully protect the jurisdiction of work of the United Association against infringement by other trades. Upon evidence of failure to do so or to notify the General Office or its representative in the district of any violations, such Local Unions will be subject to discipline under the Constitution by the General Executive Board.

Supplies

SEC. 138. The United Association shall furnish free of charge to all Local Unions in good standing all the necessary supplies with which to conduct their business, such as charters, Constitutions, application blanks, letterheads, envelopes, travel cards, transfer cards, Recording and Financial Secretaries books, etc., and said supplies shall remain the property of the United Association. A Local Union shall be required to return all of said supplies in its possession to the General President or his authorized representative upon request. When Local Unions are compelled to pay duty on any supplies furnished by the United Association the amount so paid shall be refunded by the United Association. The General Secretary-Treasurer shall regulate the amount of supplies sent to Local Unions.

Local Union By-Laws

SEC. 139. (a) No By-Law of a Local Union shall be adopted, amended or repealed unless such proposed By-Law change is approved by a two-thirds majority of members present and voting at a regular or special meeting of the Local Union, following reasonable notice to the membership of the vote on the proposed By-Law change and readings of the proposed By-Law change at the meeting at which the approval vote is taken and the preceding meeting. A Local Union may provide notice of a By-Law change to the membership that exceeds the requirements of this section, including by requiring a proposed By-Law change to be published in the Local Union newsletter or by requiring the proposed By-Law change to be read at more than two consecutive meetings. In addition, a Local Union may impose reasonable restrictions on the timing of a proposed By-Law change, including by requiring it to be submitted or considered at designated times during the year. However, the two-thirds majority vote threshold for approval of a proposed By-Law change set forth in this section may not be modified and shall be binding on all Local Unions.

(b) The preceding subsection shall not apply to a By-Law change that the General President or his designee determines to be necessary to comply with this Constitution. Any such By-Law change shall be made by the Local Union as soon as practicable.

International Representative Services

SEC. 140. When Local Unions desire the services of an International Representative they must give full information on the need of his services to the General

President, who shall give his judgment as to the advisability of the request at the time.

Non-Sympathetic Clause

SEC. 141. No Local Union shall make or sign any agreement which contains a non-sympathetic strike clause.

EXPENSE OF LITIGATION

SEC. 142. (a) The General President and the General Secretary-Treasurer are empowered to pay all expenses of litigation on which, in their discretionary judgment, the United Association has a direct or indirect interest.

(b) The United Association is authorized to pay all the expenses for investigating services, employment of all counsel and other necessary expenditures in any cause, matter, case or cases where an officer, representative, employee, agent or one charged with acting in behalf of the United Association is charged with any violation or violations of any law or in any civil or criminal action: (1) if a majority of the General Executive Board in its sole discretion determines that said charges or law suits are (a) unfounded, or (b) politically motivated, or (c) filed in bad faith in an attempt to embarrass or destroy the Union or the Union officer or representative, (2) if a majority of the General Executive Board in its sole discretion determines that the expenditures should be made.

RESPONSIBILITY

SEC. 143. (a) The United Association shall not be responsible for any actions, activities or admissions of any of its affiliated bodies or their representatives

unless the same were authorized or directed by the United Association or its General Officers.

(b) Strike authorization and/or payment of strike or lockout benefits by the United Association shall not constitute responsibility for authorization or approval of any illegal actions or activities of any affiliated body, its officers or members who are engaged in a strike.

(c) Only the officers of the United Association are authorized to be agents for service of process. International Representatives, Special Representatives, employees of the United Association, or officers and employees of affiliated bodies are not authorized to be agents of the United Association for service of process under any circumstances.

BUILDING AND CONSTRUCTION TRADES QUALIFICATIONS AND MEMBERSHIP PROCEDURES

Application for Membership in Building and Construction Trades and Combination Local Unions

SEC. 144. (a) Every applicant for membership as a journeyman in a Building and Construction Trades Local Union or a combination Local Union (Building and Construction Trades branch) must be a skilled craftsman and his application must contain information as to his experience and/or training. These qualifications must include:

1. That he has had a minimum of at least five (5) years actual practical working experience in the plumbing and pipe fitting industry.

2. That he is of good moral character.

3. That he passes a satisfactory examination as to his skill and ability as a Building and Construction Trades journeyman, conducted by the Examining Committee of the Building and Construction Trades Local Union or the Building and Construction Trades branch of a combination Local Union.

(b) Notwithstanding the preceding subsection, the General President may establish provisional classifications of journeyman membership for organized persons who have fewer than five years of actual practical working experience or other significant limitations in experience, but who possess skills that, in the judgment of the General President, are needed in the United Association. The General President may adopt rules and regulations governing the admission and rights and obligations of any classification he establishes pursuant to this subsection.

(c) The General Secretary-Treasurer may approve a member's application for a change of trade classification provided the applicant member's Local Union certifies that the member applying for the trade classification change is qualified in the new trade classification, or the applicant member has passed a satisfactory examination as to his skill and ability as a Building and Construction Trades journeyman in the changed trade classification. Straight line Local Unions can certify as to qualification for trade classification change in their trade only.

Apprentices in Building and Construction Trades and Combination Local Unions

SEC. 145. An apprentice, before he can be admitted as an apprentice in the Building and Construction

Trades Local Union or in a combination Local Union (Building and Construction Trades branch), must agree to the following:

1. That he will work at the trade with the intention of learning all phases of the plumbing and pipe fitting industry.

2. Must be willing to combine classroom training with on-the-job training.

3. Agree further to study the apprenticeship training system of the United Association.

4. Must have a sound moral character.

5. Must work at the trade for at least five (5) years before becoming eligible for a journeyman classification.

An apprentice who meets these requirements shall be admitted to membership as soon as possible after their acceptance into the apprenticeship program.

Helpers and/or Apprentices

SEC. 146. (a) No journeyman member will be permitted to work with an apprentice or helper who is not a member, except apprentices who have made an application for membership in the Local Union and the United Association and who are covered by a written apprenticeship agreement and are serving in a training program under the administration of an apprenticeship committee, or if he is a helper, he is working under the grace period of a union security clause.

(b) Apprentices shall serve a term of five (5) years in the trade, which shall consist of reasonably continuous employment during such term and the required hours of supplemental related instruction. Credit for

previous experience, granted by the apprenticeship committee, shall be included as part of the five (5) year term.

(c) Contractors or employers who employ one or more journeymen steadily will be permitted to employ an apprentice. The number of additional apprentices and the ratio of apprentices to journeymen shall be governed by local agreement so long as consistent with policies of the United Association.

SEC. 147. (a) Cancellation of an apprentice's agreement, for a just cause, after notice and hearing by the apprenticeship committee, shall automatically cancel his membership in the United Association and the Local Union. The committee shall notify the Financial Secretary of the Local Union of all such cancellations and the Financial Secretary shall notify the General Secretary-Treasurer of the United Association.

(b) There shall be no appeal to the United Association by an apprentice on cancellation of his membership.

(c) Road Sprinkler Fitters Local 669 shall have the authority to impose fines on its apprentice members for violations of the Local 669 By-laws, provided that charges are processed in full accordance with the special rules and regulations that apply to charges against Local 669 members.

SEC. 148. (a) Apprentice members of the United Association successfully completing their five (5) year apprenticeship training, upon a certification from the Joint Apprenticeship Committee that the apprentice has successfully completed the apprentice program, shall be entered on the Local Union's membership roll as a journeyman in the trade classification in

which he served his apprenticeship. The General Secretary-Treasurer is to be notified of this action.

(b) Apprentices admitted to membership in Local Unions of journeymen shall be entitled to all of the monetary benefits of the United Association and, as learners, they will be entitled to attend meetings of such Local Unions. After successful completion of the third apprenticeship year, apprentices shall be entitled to voice and vote at Local Union meetings and in Local Union elections. Prior to successful completion of the third apprenticeship year, apprentices will have no voice and vote except where this is necessary to comply with federal, state or provincial laws. Apprentices will not be entitled to hold office in any Local Union or in the United Association, and they will not be entitled to serve as delegates to the United Association Convention, until successful completion of their apprentice training and their achievement of journeyman status.

MEMBERSHIP PROCEDURES

SEC. 149. Every applicant for membership must completely fill out an application on forms furnished by the General Secretary-Treasurer which shall be filed in the General Office of the United Association.

SEC. 150. Each applicant for membership in a Building and Construction Trades Local Union or a Building and Construction Trades branch of a combination Local Union must submit (or have submitted) an affidavit or affidavits from a recognized employer or employers vouching for the applicant's ability to adequately perform the work of his trade and also vouching for his character. These affidavits must cover a minimum of five (5) years actual practical

working experience in the pipe fitting trades. These affidavits will be furnished to the applicant by the Local Union on forms supplied by the General Secretary-Treasurer.

SEC. 151. Anyone who shall certify to any false statement or fact, or falsely answer on any of the official forms of application for membership, or file false and fraudulent affidavits, or otherwise by any false pretense, misrepresentation, or fraud attempt to secure, or does secure, acceptance as a member of the United Association or any chartered or affiliated Local Union, shall immediately forfeit all further right to consideration as an applicant, and shall immediately forfeit membership by immediate cancellation if membership has already been acquired or established in the manner specified herein, upon evidence of such false pretense, misrepresentation, or fraud being presented to the General Officers.

SEC. 152. (a) All applicants who have qualified and whose applications have been accepted shall be notified by the Local Union. The applicant shall be given at least ten (10) days notice before the date of initiation and obligation and at the same time he shall be furnished with a copy of the Constitution and Ritual of the United Association, with instructions to read them and familiarize himself with all provisions, requirements and obligations contained therein before the pledge or oath of obligation is administered to him as a member.

(b) As an alternative to the taking of the pledge and oath of obligation at a Local Union meeting, a qualified applicant may sign a written pledge and oath of obligation at the time he submits his application, or any time before he is admitted as a member. The

General Secretary-Treasurer is authorized to prepare such a written pledge and oath of obligation which may be a simplification of the pledge set forth in Sec. 153.

Pledge

SEC. 153. Each applicant before becoming a member shall take the following pledge or oath of obligation:

I, (state name) _____, in the presence of this Local Union, do truly promise and pledge my word of honor that I am familiar with the provisions and requirements of the Constitution of the United Association and that I will not perform any act in any way prejudicial to the best interest of the United Association, but will at all times endeavor to promote its prosperity and usefulness. I hereby agree to remain loyal and true to the principles and policies and to be governed by the Constitution and By-Laws and Ritual of the United Association and the Local Union in any and all matters now or that may hereafter be included therein. I further pledge that I will faithfully attend all meetings of the Local Union unless prevented by sickness or other causes beyond my control. I will at all times assist members of the United Association to the extent of my ability, defend them when unjustly treated or slandered, and cultivate for each and every member the warmest friendship and brotherly love. I will assist unfortunate or distressed members to procure employment.

I do further promise and swear that I am not a member of any organization advocating the

overthrow by force and violence of the Government of the United States or of Canada.

I take this obligation voluntarily, without any mental reservation, and bind myself until death under the penalty of scorn due to moral perjury and violated honor as one unworthy of trust or assistance.

SEC. 154. (a) When all requirements of this Constitution have been complied with, including the filing of an application form, affidavits, etc., and the applicant has been initiated (taken the pledge and oath of obligation) in accordance with Sections 152(a) and 152(b), the Recording Secretary shall duly enter the name of the applicant as a member on the records of the Local Union. A membership card shall be furnished to said applicant.

(b) An applicant's admission into membership in a Local Union and in the United Association is contingent upon and subject to the requirements that the General Secretary-Treasurer processes the application, finds it in order, and issues a membership card. The General Secretary-Treasurer shall have the discretionary authority to refuse to process an application and issue a membership card where an applicant is unqualified or is not a resident of the geographical area of the Local Union.

Note: The Constitutional meaning and intent of the above Sections 152(b) and 154 is that an applicant signing a written pledge and obligation shall not be a member and his pledge shall not be effective until his application is accepted in accordance with Local Union admission to membership practices.

Membership Cards

SEC. 155. All membership cards shall be issued by the General Secretary-Treasurer from the headquarters of the United Association and shall be numbered as determined by the General Secretary-Treasurer. When a member has joined the United Association he shall procure a membership card from the General Secretary-Treasurer, through the Local Union he has joined. A receipt for the initiation fee and dues shall be issued by the Local Union. The membership card shall be properly numbered and bear the name of the member and designate the type of Local Union to which he belongs. The member must sign his name in ink on the back of his membership card in the place designated for same, which indicates that he has read the Constitution and is willing to abide by all laws and discipline enacted by Local Unions and the United Association.

Suspension of Members

SEC. 156. A member owing over three (3) months' dues shall automatically be suspended from membership without notice of any kind. A suspended member is denied all rights and privileges and is not entitled to any monetary benefits.

SEC. 157. (a) A suspended member becomes in good standing and his suspension is lifted by the payment of a \$50.00 reinstatement fee together with all back dues through the current month. A suspended member must pay his \$50.00 reinstatement fee before his back dues can be paid. Upon payment of the \$50.00 reinstatement fee and payment of back dues through the current month, the member shall be entitled to attend Local Union meetings with voice and vote but must wait ninety (90) days from date of pay-

ment of the \$50.00 reinstatement fee before being entitled to monetary benefits.

(b) The requirements for eligibility to vote at Local Union elections and to run for office in a Local Union are governed by Sections 121 and 124, respectively.

(c) National and Local Union assessments, disciplinary assessments and loans are payable before dues. However, no union security clause shall be enforced because of the failure to pay national and local union assessments, disciplinary assessments or loans pursuant to this provision.

Expulsion of Members

SEC. 158. Any member in arrears for dues for a period of six (6) months shall stand expelled, and must pay all back dues for the six (6) month period preceding his expulsion and any outstanding disciplinary assessments or loans to the expelling Local Union, as well as a new initiation fee to the Local Union in which he will be reinitiated. The reinitiating Local Union may also uniformly require of all such expelled members proof of area residence of two (2) years as well as proof of current qualification as required of new members before accepting such an applicant for reinitiation.

SEC. 159. A former member who was expelled under Section 158 will be reinitiated by the Local Union that expelled him if he meets all requirements set forth in Section 158, unless the General President grants the Local Union specific permission to deny reinitiation to the former member. To obtain such permission, the Local Union must present to the General President a just and reasonable basis for denial of reinitiation.

Restrictions on Members Entering Plumbing or Pipe Fitting Business

SEC. 160. (a) Any member of the United Association who enters business legitimately for himself, or who holds a financial interest in any business directly connected with the plumbing and pipe fitting industry, and who desires to maintain his membership in the United Association in order to keep his burial expense benefits, shall not have the right to voice or vote or to take any part in the official affairs of the Union until six (6) months after the member has terminated his business or financial interest in any business directly connected with the plumbing and pipe fitting industry.

(b) Road Sprinkler Fitters Local 669 is exempted from the application of Section 160(a) of the Constitution. Other Local Unions may request exemption from Section 160(a) and, for good cause shown, the General President is authorized to grant such exemptions. A request for an exemption must be filed at least thirty (30) days prior to a Local Union's nominations meeting.

(c) No member who holds a financial interest in any business directly connected with the plumbing and pipe fitting industry may run for or hold union office until six (6) months after the member has terminated his financial interest in the business.

SEC. 161. Any member of the United Association desiring to enter business legitimately for himself or to hold a financial interest in any business that comes within the work jurisdiction of the United Association must provide the Local Union to which he is attached written notice explaining his intentions.

Honorable Withdrawal Cards

SEC. 162. (a) Honorable withdrawal cards shall be issued only to members who have been in continuous good standing for at least two (2) years immediately preceding the date of request for withdrawal. This shall also include reinitiated members. Honorable withdrawal cards shall not be issued to an apprentice member of the United Association.

(b) Withdrawal cards shall only be deposited in the Local Union issuing same and shall only be accepted by the Business Manager of the Local Union or the officer or agent designated by him to accept such cards.

(c) An honorable withdrawal card member shall not be entitled to receive any burial expense benefits.

(d) An honorable withdrawal card member shall not have the right to voice or vote, or to take part in the official affairs of the Union.

SEC. 163. Members of the United Association may be granted an honorable withdrawal card by their Local Union upon entering into business, leaving the trade, or for other legitimate reasons that serve the interests of the member and the Local Union and are not contrary to the laws and policies of the United Association.

SEC. 164. (a) Before the honorable withdrawal card is granted, the member shall pay \$100.00 to his Local Union. An honorable withdrawal card can be renewed before the expiration of a year from the date of issuance or date of former renewal by payment of a \$100.00 renewal fee. Fifty percent of the initial fee and any renewal fee shall be forwarded to the General Office by the Local Union. A withdrawal card mem-

ber who has a current paid up withdrawal card may reinstate his membership by the payment of a \$100.00 reinstatement fee, provided that he has not committed any act detrimental to the United Association or its Local Unions. Upon reinstatement, such member's original initiation date shall be entered on his membership record and recognized as the date on which his continuity of membership commences. Any member on an honorable withdrawal card who has fifty (50) years of combined active service and honorable withdrawal card status shall no longer be required to pay the \$100 per year renewal fee for the honorable withdrawal card.

(b) A withdrawal card member whose withdrawal card has lapsed and who shall thereafter apply for reinstatement as a member in his Local Union shall be required to pay the initiation fee in the Local Union normally required for new members. He shall be reobligated with a new initiation date and he shall receive the regulation initiation stamp, provided that he has not committed any act detrimental to the United Association or its Local Unions.

(c) When withdrawal cards are issued they must specify the type of membership held by the holder of the withdrawal card, whether membership was held in a Building and Construction Trades Local Union or a Metal Trades Local Union, and if membership was held in a combination Local Union then the withdrawal card must state whether the holder was affiliated in a Building and Construction Trades branch or a Metal Trades branch.

SEC. 165. (a) Any member holding an honorable withdrawal card who has committed any act detrimental to the United Association or its Local Unions,

or who violates any section of the United Association Constitution, if found guilty after notice of charges and a hearing, may be (1) reprimanded, (2) fined or assessed, or (3) his withdrawal card cancelled and the member expelled with a set assessment or raised initiation fee levied against him. Charges may be filed and processed either in the Local Union which issued the withdrawal card or the Local Union in which jurisdiction the violation occurred. A copy of the charges shall be mailed by certified mail, return receipt requested, to the last known address of the member holding the withdrawal card by the Secretary of the Local Union in which the charges were filed. A hearing shall be conducted by the Local Union Executive Board and the member shall be given notice and an opportunity to appear and state his defense.

If the withdrawal card member is found guilty, the Local Union conducting the trial shall notify the Local Union which issued the withdrawal card of the action taken, and shall send the withdrawal card member a copy of the decision of the Local Union Executive Board by certified mail, return receipt requested.

(b) A withdrawal card member may appeal the Local Union Executive Board decision to the General Secretary-Treasurer within twenty (20) days from the date the Local Union mailed a copy of the Executive Board decision to his last known address. The General Secretary-Treasurer shall review the evidence and render a decision, either affirming or reversing the decision of the Local Union Executive Board. An appeal to the General Secretary-Treasurer shall not stay the decision of the Local Union Executive Board; however, if the General Secretary-

Treasurer reverses the Local Union Executive Board and reinstates a member's withdrawal card, such decision shall be retroactive to the date of the cancellation by the Local Union Executive Board.

Military Service Withdrawal Cards

SEC. 166. Military Service Withdrawal Cards shall be issued to members who enter into active duty service in the armed forces of the United States and Canada in accordance with policies adopted by the General Executive Board.

Reinitiation of Former Members into New Local Unions

SEC. 167. (a) A former member of the United Association who was expelled for non-payment of dues, or whose Honorable Withdrawal Card lapsed, may reinitiate into a Local Union other than his former Local Union with the approval of the Business Managers of the former Local Union and the Local Union into which he seeks to reinitiate.

(b) A former member who was expelled pursuant to the disciplinary procedures of this Constitution may reinitiate into a Local Union other than his former Local Union with the approval of the Business Managers of the former Local Union and the Local Union into which he seeks to reinitiate, and if, prior to reinitiation, the former member pays to the former Local Union the full monetary penalty, including any assessment, raised initiation fee, or fine, imposed by the Executive Board of the former Local Union. The Executive Board of the former Local Union may, at its discretion, agree to reduce or waive the monetary penalty, unless the penalty has been reviewed and approved by the General Executive Board pursuant to

this Constitution, in which case the Local Union may, at its discretion, submit a request to the General Executive Board to reduce or waive the monetary penalty.

Permits

SEC. 168. No permits shall be given or issued to anyone (by any Local Union or representative thereof) who is not a member of the United Association or who has not been accepted by the Local Union and is paying an application fee for admittance to the United Association. Upon failure to comply with this section Local Unions will be subject to discipline by the General Executive Board according to the Constitution.

MONETARY BENEFITS

Burial Expense Benefits

SEC. 169. On proof of death of any member in good standing who shall have been a member for at least six (6) months continuously previous to his death, a burial expense benefit of \$2,500.00 shall be paid.

SEC. 170. (a) The benefit shall not be payable in the case of a member who owes over three months' dues at the time of his death.

(b) The benefit shall be payable in the case of a member who meets the requirements of Section 169 and who has been reinstated as provided in Section 158 during the six (6) month period prior to his death, irrespective of when the reinstatement occurred.

(c) The benefit shall be payable in the case of a member who has reinstated his membership from

honorable withdrawal card status as provided in Section 164(a), irrespective of when the reinstatement occurred.

(d) The United Association is authorized to restructure the Burial Expense Benefit Fund, including exercising the option to engage an insurance carrier.

(e) The General President is directed to appoint a Committee to continue monitoring the Burial Expense Benefit Fund and to submit an updated report to all local unions at least six months prior to the next convention.

SEC. 171. When becoming a member of the United Association each member shall designate the person to whom the aforesaid benefit money shall be paid upon blanks furnished by the General Secretary-Treasurer to the Local Union.

SEC. 172. (a) It is the intent of this Constitution that the monetary benefit payable hereunder is not a payment of money or gratuity to the named beneficiary, but is in reality a burial expense benefit payment. Whether or not a beneficiary is named the burial expense shall be first applied to the payment of the funeral or burial expenses. The General Secretary-Treasurer shall pay the burial expense benefit directly to the named beneficiary when (1) a bill from the undertaker is filed with the General Secretary-Treasurer either by the beneficiary, or some other person, member of the family, organization or agency, or (2) a statement is filed with the General Secretary-Treasurer by the undertaker or funeral director that the undertaker or funeral director has been guaranteed payment of his bill either by the named beneficiary or by some other person or member of the family, organization or agency. The General Secretary-Treasurer

may, at his discretion, without the consent of the designated beneficiary, pay the amount of the burial expense benefit to the undertaker who is to bury the deceased member, provided the undertaker or funeral director will not seek or hold the International liable for the balance, if any, of the funeral bill.

(b) In the event that no beneficiary is named, or the beneficiary named is deceased and no members of the deceased member's immediate family or relatives of the deceased member, or the undertaker, secure letters of administration on the estate of the deceased member, then the burial expense benefit will be paid by the General Secretary-Treasurer to the undertaker or funeral director or, if the undertaker's bill has been paid by some member of the deceased member's family, relatives or friends, then the General Secretary-Treasurer shall pay the burial expense benefit to that person who paid the funeral bill.

(c) The General Secretary-Treasurer in his sound discretion may pay the burial expense benefit, even if there is a designated beneficiary, to the person who is more equitably and justly entitled to the burial expense benefit, and to the one who took care of the deceased member in his last illness.

SEC. 173. Upon the death of any member entitled to a burial expense benefit the Secretary of the Local Union shall at once notify the General Secretary-Treasurer giving a full record of the membership of such member, as far as can be obtained from the books of such Local Union. The General Secretary-Treasurer shall compare such record with the records of the General Office and notify the Local Union of his findings, and shall pay the burial expense benefit to the beneficiary in accordance with the Constitution.

SEC. 174. The General Secretary-Treasurer shall publish the names, ages and causes of death of the members who die and on whose accounts the burial expense benefits have been paid, together with the amounts paid.

SEC. 175. When the burial benefit is insured, the terms of the insurance policy shall govern in the event of any conflict with Sections 170, 171 or 172 of the Constitution.

STRIKE AND LOCKOUT BENEFITS

Applications

SEC. 176. (a) Strike or lockout benefits are not a matter of right, but may be paid to members of a Local Union at the discretion of the General Executive Board. In exercising its discretionary authority regarding strike benefits the General Executive Board will not approve strike benefits unless a Local Union files an application for approval and authorization to strike and complies fully with the requirements of this section. Lockout benefits will not be approved unless a Local Union files a lockout application and complies fully with the requirements of this section.

(b) Local Unions making application to strike shall, if for an increase, state the wages paid and how much is demanded; if against a reduction, the wages paid and how much the reduction will amount to. They shall report to the General Secretary-Treasurer the length of time organized, the number of members in the Local Union when the application was made, and the number of members employed and unemployed.

(c) Local Unions making application for lockout benefits shall file their application with the General

Secretary-Treasurer. It shall set forth a complete statement of the causes and circumstances surrounding the lockout and the number of employees affected.

(d) All applications for strike or lockout shall be read at a regular or special meeting of the Local Union making application, and the Local Union shall report the number of members voting in the affirmative and negative on all questions of strike, which vote must be taken by secret ballot. Sections 177 and 180 of this Constitution must be strictly observed or the strike shall be declared not legal.

SEC. 177. No member of the Local Union wishing to go on strike will be allowed to vote upon application to strike unless he has been a member of said Local Union for six (6) months previous to said application being voted upon.

SEC. 178. A Local Union making false statements in its application shall be subject to discipline, including fines.

SEC. 179. All strike and lockout applications shall be referred to the International Representative in the district, who shall be required to make a thorough investigation and report to the General Executive Board for their approval or disapproval. They, in conjunction with the General Secretary-Treasurer, shall carefully consider such applications with regard to chances of success in the proposed strike or lockout, justice of demands, and finances liable to be involved. The decision of the General Executive Board shall be final and binding.

SEC. 180. (a) Every difficulty shall be referred at once by the General Secretary-Treasurer to the General Executive Board for recommendation except for the immediate adjustment of any Local Union

trouble. Any Local Union may declare a strike, not to exceed 10 percent of its membership, provided the strike is in the interest of the United Association. The expense of said strike, if any, shall be borne by said Local Union until such time as the General Executive Board shall take favorable action.

(b) No strike or lockout shall be considered legally qualified for the payment of strike or lockout benefits unless approved by a two-thirds majority vote of all members of the Metal Trades branch of the Local Union when the strike involves the Metal Trades branch, and a two-thirds vote of all the members of the Building and Construction Trades branch of the Local Union when the strike involves Building and Construction Trades members. Voting shall be by secret ballot. Any strike or lockout may be declared off by a majority vote of the members of the Metal Trades branch or by a majority vote of the members of the Building and Construction Trades branch.

Note: The Constitutional meaning and intent of the above Sections 176 and 180 pertaining to secret ballot is that absentee ballots are not permissible in any Local Union strike vote.

SEC. 181. The General Executive Board shall comply with Section 179 of the Constitution before deciding on any strike or lockout application that may be made to the General Secretary-Treasurer. The Local Union involved shall be notified as soon as possible whether the application has been approved or disapproved. In the event of disapproval such Local Union shall in no manner be entitled to any strike or lockout benefits.

SEC. 182. It shall require a majority vote of the General Executive Board to approve any strike application.

SEC. 183. A Local Union whose application to strike was not approved shall have no right to make a second application pertaining to the same case for a period of three (3) months dating from the rejection of the first application, and no member or Local Union shall be considered on strike unless said strike shall have been approved by the proper authorities in accordance with the Constitution of the United Association.

Benefits

SEC. 184. (a) When the General Executive Board has exercised its discretionary authority and approved the payment of strike or lockout benefits the members of a Local Union on strike or locked out shall be paid benefits in the amounts and subject to the eligibility conditions of this section.

(b) The first week's benefit shall be payable at and after the expiration of fourteen (14) days.

(c) Seven (7) days shall constitute a week regardless of the day of the week the trouble starts.

(d) The assistance shall be as follows: \$100.00 per week for twenty (20) weeks, after the first week; but no strike benefit shall be paid for the first week, or fraction of any week.

(e) In the event that a striker secures work, and is discharged within fourteen (14) days, he shall be entitled to his further benefit. Should he, however, lose his employment after the above specified time, he shall not be entitled to any further strike benefit.

(f) No member of the United Association shall be entitled to any strike benefit unless he is a member in good standing for at least three (3) months prior to the strike.

(g) The General Secretary-Treasurer shall furnish the Local Union with strike and lockout application blanks.

(h) No benefits shall be paid because of sympathetic strikes or lockouts in the interest of other trades.

(i) No strike benefits shall be paid to any members while they are actually employed and earning wages.

Note: The Constitutional meaning and intent of Section 184 regarding the fourteen (14) days is that it refers to two-calendar weeks of fourteen (14) days, and if a member works the full regular working days in those two-calendar weeks of fourteen (14) days, he is not entitled to any strike benefits thereafter.

SEC. 185. When a strike or lockout is not ended or settled within the benefit period as named above, further financial aid may be granted to the Local Union or Local Unions involved if in the judgment of the General Executive Board such financial aid would be of benefit in bringing about the satisfactory settlement of the strike or lockout. The financial aid may be an extension of the weekly benefit to the members on strike or may be in the form of a certain amount of money, this to be decided by the General Executive Board as to which form the financial aid may take. Such further financial aid will be under the direct supervision of the International Representative in the district.

Strike Reports

SEC. 186. The Secretary of any Local Union on strike shall furnish the General Secretary-Treasurer weekly a complete report of the strike, signed by the President and full strike committee, itemizing expen-

ditures and reporting such other facts as may be provided for on blanks furnished by the General Secretary-Treasurer. For noncompliance with this section after due notification, further aid shall be discontinued at the discretion of the General Secretary-Treasurer.

SEC. 187. When strike or lockout benefits are to be paid, the General Secretary-Treasurer shall furnish the Local Union a duplicate book and the Local Union Treasurer will receipt for all monies and pay out the same. He will send the original sheet containing his disbursements to the General Office and keep the duplicate in his possession. The strike committee will not handle the strike benefits.

Note: The provisions of Sections 176 through 187 are only applicable when a local union is applying for strike or lockout benefits or receiving such benefits.

Travel or Transfer During Strikes

SEC. 188. A Local Union on strike or lockout shall have power to reject all travel or transfer cards.

No Suspension During Strikes

SEC. 189. No member of the United Association can be suspended during strike or lockout, but on going back to work he shall pay 15 percent of his wages until all dues and assessments have been paid.

Sympathetic Strike Within the Association

SEC. 190. When the approval of the General Executive Board is obtained for a strike in any particular shop or job, it shall signify that the employer has become unfair throughout the entire jurisdiction of

the United Association, and all members are debarred from working for such employer, either directly or indirectly, until the matter in dispute has been adjusted. Any Local Union allowing its members to work for such employer shall, after due notice, be suspended by the General Executive Board, and shall not be reinstated until the Constitution has been complied with.

WORKING CONDITIONS

Hours of Labor

SEC. 191. (a) Eight (8) hours shall constitute a day's work for members of the United Association, and no financial aid will be rendered to any Local Union going on strike for more wages whose hours of labor are more than eight (8) on building work. It is distinctly understood, however, that the Local Unions must continue to strive for the shorter workday and the shorter workweek.

(b) Local Unions should continue through negotiations to bring about the establishment of health and welfare programs, pension plans, paid vacations and pay for certain holidays and such other fringe benefits that are in the interest of the membership of the respective Local Unions.

(c) The Local Unions, in addition to striving for a shorter workday and workweek, are also committed to make every effort to increase the standard of living, wages and working conditions of their members.

Subcontracting

SEC. 192. No member of the United Association will be permitted to subcontract or lump the installation of any plumbing, heating, sprinkler or pipe work,

or any other work under the jurisdiction of the United Association, or to work in any shop where subcontracting is practiced. Any member who violates this section may be assessed, suspended or expelled in accordance with the procedures of Section 201 of the Constitution.

Tools

SEC. 193. No member of the United Association shall be permitted to furnish tools, except as authorized by an applicable collective bargaining agreement.

Use of Vehicles

SEC. 194. The use of vehicles of any description (unless furnished by the employer) will be discontinued by the members of the United Association during working hours, except as authorized by an applicable collective bargaining agreement.

Support for Contractor Members

SEC. 195. Recognizing that many of the United Association's most loyal and effective signatory contractors are United Association members, Local Unions shall strive to support members who enter into businesses directly connected with the plumbing and pipe fitting industry, including members who are interested in starting new businesses and members who have established businesses of various sizes.

Working Contrary to Terms of Collective Bargaining Agreement

SEC. 196. (a) A member shall not perform any work for any contractor whose business performs work that comes within the work jurisdiction of the

United Association, if that employer is not a party to a collective bargaining agreement entered into either by a UA Local Union or the United Association.

(b) No member may be employed in an industrial plant on any work, whether it be construction, maintenance or modernization, that comes within the work jurisdiction of the United Association where the Local Union does not have a collective bargaining agreement with the industrial plant or where the wage rate and terms and conditions of employment in the plant are less than the standards established in the Local Union Agreement, unless the member has, prior to employment in such a plant, obtained the consent of the Local Union Executive Board.

(c) A member who enters business for himself or holds a financial interest in any business and such business performs work that comes within the work jurisdiction of the United Association must sign a collective bargaining agreement with a Local Union or Local Unions in whose territorial jurisdiction plumbing or pipe fitting work is performed.

(d) A member violating this section shall be disciplined under Section 201 by fine, suspension or expulsion. Local Unions failing to comply with this section shall be disciplined as provided by Sections 90 and 91.

OFFENSES, PENALTIES, TRIALS, AND APPEALS

Obtaining of Fraudulent Membership

SEC. 197. (a) Any member of the United Association who alone or in concert with others participates in the sale or issuance of counterfeit mem-

bership cards, transfer cards or travel cards shall, after notice, hearing and a finding of guilt in accordance with the procedures of Section 201 or Section 204(a) be penalized by expulsion.

(b) Any member of the United Association who alone or in concert with others participates in the sale of membership by the payment of monies over and above what is constitutionally required of new members or in the procurement of membership for an applicant by fraud or false statements or misrepresentations or forgery shall, after notice, hearing and a finding of guilt in accordance with the procedures of Section 201 or Section 204(a) be penalized by expulsion.

Discrimination Against Members

SEC. 198. The United Association recognizes that every member is entitled to just treatment and as a matter of policy, the United Association embraces and supports the anti-discrimination laws of the United States and Canada.

Threats Against Local Union Officers

SEC. 199. Any members found guilty after notice and hearing of making threats of physical violence or harm, or who actually assault a Local Union officer or a Local Union appointed representative shall be fined, suspended or expelled from the United Association.

Unauthorized Picket Line or Work Stoppage

SEC. 200. Any member of the United Association who puts up an unauthorized picket line or causes or engages in a wildcat strike or work stoppage in violation of the no strike provision of a collective bargaining agreement shall be disciplined under Sections 201 or 204(a) by fine, suspension or expulsion. A member

shall be deemed responsible for conduct by members of his immediate family that is violative of this section of the Constitution.

Charges and Trial

SEC. 201. (a) When a member of the United Association breaks his obligations to the United Association, or any of its Local Unions, or violates any of the laws of the United Association, or laws and working rules of any Local Union, charges may be preferred against him by any member of the United Association in good standing or any Local Union of the United Association that has personal knowledge of the offense committed.

(b) The charges shall be made in writing to the Local Union to which the member may be attached, stating with reasonable certainty the nature of the offense charged, the time and place of the occurrence, naming the witnesses and all other data, and it shall require a majority vote of the membership in attendance at a regular or special called union meeting to whom the charges are referred, to accept such charges, and the charges must be signed by a member of the United Association, in good standing.

(c) A copy of the charges, signed by the Secretary of the Local Union, shall be immediately sent to the accused to his last known address on the books of the Local Union by the Secretary and this shall be deemed due notice, provided, however, that for the nonpayment of dues or assessments a member may be suspended or expelled without the formality of a trial as above set forth.

(d) When charges have been made and accepted as hereinbefore provided, the entire matter shall be

referred to the Local Union Executive Board for trial, and they shall without unnecessary delay summon the parties, hear all witnesses, and try the case, provided that the accused may have ten (10) days from the date of notice before being called upon to plead to the charges as specified.

(e) Charges against members of Local Union 669 shall be processed in accordance with the special rules and regulations that have been promulgated by the General Executive Board. The General Executive Board shall have the discretionary authority to amend the special rules and regulations from time to time.

SEC. 202. (a) The Local Union Executive Board will report their findings at the next regular or special meeting of the Local Union. If the accused is found guilty, he may be assessed, suspended or expelled. If the verdict is expulsion, there shall be a set assessment or raised initiation fee also placed against him to indicate upon what terms the expelled member may again become a good standing member of the United Association. The findings of the Local Union Executive Board shall be final and binding subject to the appeal provisions of the Constitution. No vote shall be taken among the Local Union membership on the report to the Local Union Executive Board.

(b) After the Local Union Executive Board reports its findings at a membership meeting, the Local Union shall send a copy of the Executive Board's report setting forth the findings, verdict, and any penalty to the accused by regular or certified mail, return receipt requested. This notice shall state the date of the meeting at which the decision was reported to the membership and, in the event of a guilty verdict, it must advise the accused of his appeal rights under the UA Constitution.

(c) When a member is found guilty by the Local Union Executive Board after due notice and trial, as provided by this Constitution, of filing charges maliciously and in bad faith against a brother member, he shall be assessed and punished by the Local Union Executive Board subject to the appeal provisions of the Constitution.

Hearing Officer

SEC. 203. Whenever a majority of the members of the Executive Board of a Local Union are found by the General President, after notice or application, to be disqualified for any reason from acting on charges preferred against a member under Section 201, or against an officer under Section 127, then the General President may appoint a hearing officer or officers from the membership of the United Association to act in the place and stead of the Local Union Executive Board and the Local Union. The hearing officer or officers so appointed shall conduct the hearing and, after the close of the testimony, shall make a summary of findings and recommendations and file the same with the General President. The General President shall then consider the entire record and if he finds the accused member or officer guilty, he shall have full discretionary power to impose on the member or officer any penalty he finds appropriate, including, but not limited to, reprimands, fines, assessments, expulsion, suspension of membership, removal from office, denial to hold any office permanently or for a fixed period, or commands to do or perform, or refrain from doing or performing specified acts.

An appeal may be taken by the member or officer from the General President's decision to the General Executive Board within twenty (20) days of notifica-

tion of the decision. The decision of the General Executive Board shall be communicated to the interested parties by the General Secretary-Treasurer and shall be final and binding without a right of further appeal.

ORIGINAL JURISDICTION OF THE GENERAL EXECUTIVE BOARD TO TRY OFFENSES AGAINST THE INTERNATIONAL UNION

SEC. 204. (a) When any offense is committed against the International Union or its officers including, but not limited to, a violation of the provisions of this Constitution or the policies or decisions of the International Union or any officer thereof, written charges may be filed against any accused members, officers, Local Unions, District Councils, State or Provincial Associations or other affiliated body and the General Executive Board shall have original jurisdiction to conduct the trial on such charges.

(b) The General Executive Board shall have full discretionary power to accept, reject, or may direct that the charges be referred to a Local Union to be acted upon in accordance with Section 201 of the Constitution. If the General Executive Board accepts the charges and finds that, at the same time, charges have already been filed or hearings are pending before an affiliated body dealing with the same subject matter of the charges over which the General Executive Board has required original jurisdiction under this section, the jurisdiction of such affiliated body shall forthwith terminate and the affiliated body shall, upon request of the General Executive Board, transfer all of its records and papers pertaining to the case to the General Executive Board.

(c) Upon acceptance of the charges the General Secretary-Treasurer shall serve a copy of the charges by certified mail upon the accused together with notice of the time and place of trial.

(d) The General Executive Board may, in its discretion, have a trial under this section conducted before a panel of one or more hearing officers appointed from among the members of the General Executive Board or the membership of the United Association. This panel, acting on behalf of the General Executive Board, shall conduct a hearing and make findings and recommendations for disciplinary action, if any, to the full membership of the General Executive Board for its final vote and decision.

(e) In any case under this section, if the accused is found guilty, the General Executive Board shall have full discretionary power to impose any penalty it finds appropriate including, but not limited to reprimands, fines, assessments, expulsion, suspension of membership or suspension or revocation of charter, denial to hold any office permanently or for a fixed period, or commands to do or perform, or refrain from doing or performing specified acts. Where the accused is an individual officer or member, the decision of the General Executive Board shall be final and binding and not appealable. When the accused, however, is an affiliated body, the decision of the General Executive Board may be appealed to the convention in accordance with Section 210 of the Constitution.

Penalties Requiring Approval of General Executive Board

SEC. 205. (a) No Local Union of the United Association shall impose an assessment of more than

\$1,500.00, suspension or expulsion upon any member of the United Association unless approved by the General Executive Board.

(b) After notice and hearing of charges against an individual providing for a fine or assessment of more than \$1,500.00, suspension or expulsion, the Local Union shall, within twenty (20) days file an application upon forms supplied by the General Secretary-Treasurer with the General Executive Board requesting the approval of the penalty of more than \$1,500.00, suspension or expulsion.

(c) The petition for approval shall set forth a copy of the charges, the date of acceptance of the charges by the Local Union membership, the date a copy of the charges and notice of hearing were mailed by certified mail to the member's last known address, a digest or summary of all of the testimony of the various witnesses appearing at the hearing, including the accused, the findings of the Local Union Executive Board, and the date the Local Union Executive Board reported its findings at a regular meeting of the Local Union.

(d) The General Secretary-Treasurer shall mail a copy of the petition to the member by certified mail to his last known address as shown on the records of the Local Union. The accused member shall have a period of two (2) weeks after receipt of the copy of the petition for approval in which to file a statement of his position.

(e) The General Executive Board shall render a decision, and the decision of the General Executive Board shall be final and binding and there shall be no further appeal.

SEC. 206. Any member committing any act for which he has been disciplined by either an assessment, suspension or expulsion, which has been approved by the General Executive Board, cannot be reinstated by any Local Union without the consent of the General Executive Board.

Note: The Constitutional meaning and intent of the above Section 206 is that the Local Union cannot remove any disciplinary measures already sanctioned by the General Executive Board on members or ex-members without the approval of the General Executive Board.

Appeals to General Executive Board

SEC. 207. (a) A member who is assessed or fined \$1,500.00 or less by the Local Union (other than suspension or expulsion) may appeal to the General Executive Board provided such appeal is filed within twenty (20) days of notice to the accused of the Local Union Executive Board's decision. A member shall file his appeal in writing, setting forth the grounds and reasons why the fine or other action of the Local Union should be reversed, modified or disallowed.

(b) The General Secretary-Treasurer shall forward a copy of the appeal to the Local Union and direct the Local Union to file on forms furnished by the General Secretary-Treasurer within ten (10) days, including a copy of the charges, the date of acceptance of the charges by the Local Union membership, the date a copy of the charges and notice of hearing were mailed by certified mail to the member's last known address, a digest or summary of all of the testimony of the various witnesses appearing at the hearing, including the accused, the findings of the Local Union Executive Board, and the date the Local Union Executive Board

reported its findings at a regular meeting of the Local Union.

(c) The General Secretary-Treasurer shall forward a copy to the member. The accused member may file with the General Secretary-Treasurer a reply to the Local Union's statement, if he desires, within ten (10) days.

(d) The General Executive Board shall render a decision, and the decision of the General Executive Board shall be final and binding and there shall be no further appeal.

SEC. 208. (a) Where protests are entered against any provision of the Constitution, the first case of each of these shall be referred to the General Executive Board and a decision asked that will establish a precedent to be followed in future cases of a parallel nature which shall be referred to the General President for his decision, and should an appeal be taken from the General President's decision, the entire matter and testimony, together with the General President's ruling, shall be referred to the General Executive Board for their approval or disapproval. The General Executive Board's action shall be final; such final action must be rendered to the General President and General Secretary-Treasurer who in turn shall notify the parties interested of the final decision.

(b) Appeals may also be taken from any decision or order of suspension or expulsion made by the General President to the General Executive Board within twenty (20) days. The General Executive Board shall render such decision to the General President and to the General Secretary-Treasurer. The decision of such Board shall be final, and shall be communicated to the interested parties by the General Secretary-Treasurer.

SEC. 209. (a) On all appeals made to the General Executive Board, including, but not confined to, the petition by a Local Union to sanction assessment, suspension or expulsion of members under Section 205, the General Executive Board shall have power to affirm, reverse, modify, or amend any decision, or to enter such other new decision or penalty based upon the entire record as the General Executive Board in its discretion deems just and proper.

(b) The General Executive Board may, in its discretion, on any matter or appeal which comes before it, appoint one or more hearing officers, either from the Board or from the membership of the United Association. The hearing officer or officers so appointed shall conduct a hearing and shall make findings and recommendations to the full membership of the General Executive Board for its final vote and decision.

Appeals to Convention

SEC. 210. Any decision, unless otherwise provided for, made by the General Executive Board shall be subject to appeal to the following convention, if so desired, within sixty (60) days after notification of such decision is mailed to the parties. The period of sixty (60) days is to run from the date of mailing such decision, but the decision shall be and remain effective for all purposes during the pendency of any such appeal, and is to be carried out in any respect by all parties until the following convention decides the appeal, or otherwise determines and directs. In the event a Local Union, District Council, State or Provincial Association fails to carry out any decision pending an appeal to the convention, said affiliated body shall stand suspended from all privileges of the

United Association until the decision has been complied with. During such period of suspension, the Secretary-Treasurer may not accept any per capita tax from said affiliated body.

Disciplinary Penalties

SEC. 211. Various sections of the Constitution authorize the imposing of penalties, fines, assessments, suspension or expulsion upon individual members or Local Unions, District Councils, State or Provincial Associations. Wherever authority is given to impose any of these penalties under the Constitution, whether it be by a Local Union, General President or General Executive Board, such authority shall also include the power to impose penalties of (1) reprimands; (2) denial to hold any office permanently or for a fixed period; or (3) commands to do or perform, or refrain from doing or performing, specified acts.

Exhaustion of Remedies Within the United Association

SEC. 212. No officer, representative or member of the United Association, or its Local Unions, District Councils, or State or Provincial Associations shall resort to court proceedings of any description in any matter pertaining to this organization or its Local Unions, or his membership or office until all remedies provided for within the United Association Constitution have been fully exhausted.

CONSTITUTION AND RITUAL

Ritual

SEC. 213. The General Executive Board is empowered to publish the Ritual of the United Association

and may from time to time make such changes in the Ritual as it determines are necessary.

Changes in Constitution

SEC. 214. (a) No part of this Constitution shall be suspended at any time, nor can it be amended, except as provided in subsection (b) of this section, at conventions, or by referendum vote as provided in the following sections.

(b) In the event the federal government of the United States or Canada or one or more American States or Canadian Provinces declares a state of emergency, the General President shall have the authority, with the approval of a majority of the General Executive Board, to adopt such amendments to this Constitution that, in his judgment, are necessary to remove any impediments to UA business arising from the emergency. When exercising this authority, the General President and General Executive Board shall have the ability to adopt any amendments that the quinquennial United Association Convention could make, including but not limited to amendments altering the basis of representation of delegates and other provisions of this Constitution related to the Convention itself. Any amendments to the Constitution that are adopted pursuant to this subsection shall automatically expire after the next Convention unless made permanent by such Convention.

Referendum Amendments

SEC. 215. Ten percent of the total number of Local Unions in good standing may jointly propose an amendment to this Constitution. By a majority vote of the membership of each Local Union constituting a

sufficient number of Local Unions to comprise 10 percent of the Local Unions in good standing, a written resolution proposing such amendment shall be adopted. Such proposed amendment shall be published in the official UA Journal, where arguments may be made for or against it for at least three (3) issues. If, within sixty (60) days from date of first publication of the proposed amendment, 25 percent of the total good standing membership of the United Association endorse the same, the amendment shall be submitted by the General Secretary-Treasurer for a general vote of the entire membership at their next regular meeting. Each Local Union shall vote by secret ballot (yes or no) on the amendment as submitted and shall immediately report to the General Secretary-Treasurer the total number of voters eligible to vote on the question and the number voting yes and the number voting no.

SEC. 216. The General Secretary-Treasurer shall compile and publish the returns in the UA Journal, and it shall require 55 percent majority of the members voting to carry an amendment. No amendment shall be considered adopted if less than 55 percent of the total membership vote. Amendments so adopted shall take effect upon their passage or as specified in the amendment.

Savings Clause

SEC. 217. (a) 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, the General Executive Board shall have the authority to suspend the operation of such provision during the period of its invalidity and to substitute in its place

and stand a provision which will 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 held invalid, shall not be affected thereby.

(b) The General President, with the approval of the General Executive Board, is authorized to grant administrative relief to the Canadian Local Unions from certain provisions of this Constitution which, in the General President's sole discretion, are in the best interests of the United Association or are necessary to comply with applicable Canadian Federal or Provincial laws.

SEC. 218. (a) The General President and the General Secretary-Treasurer in conjunction with the Laws Committee shall have the power following convention adoption of amendments to this Constitution prior to the printing thereof, to make such corrections, typographical, grammatical, punctuation, or otherwise, including the supplying or remedying of inadvertent omissions or errors as are necessary to carry out the spirit and intent of any amendments adopted, as well as the power to incorporate in the appropriate places in the Constitution salary adjustments approved pursuant to Section 45; the power to incorporate changes in sections of the Constitution resulting from amendments to other sections of the Constitution such as the per capita tax and fees in Section 133; the power to rearrange, renumber and recaption any of the sections of the Constitution and the power to incorporate in the Constitution in the

form of new sections some but not necessarily all of the resolutions and reports adopted by the convention that have the force and effect of law.

(b) Wherever any words are used in this Constitution in the masculine gender, they shall be construed as though they were also used in the feminine gender or neuter gender in all situations where they would so apply.

Effective Date of Amendments

SEC. 219. All amendments to the United Association Constitution adopted at the 40th Convention shall be effective January 1, 2022, unless otherwise provided. Those sections of the United Association Constitution not amended at the 40th Convention shall remain in full force and effect until amended at a future UA Convention.

TRAVEL CARDS FOR BUILDING AND CONSTRUCTION TRADES JOURNEYMEN

SEC. 220. (a) Obligations of traveling members and Local Unions in which travel cards are deposited:

1. Travel card members are brother and sister United Association members—not strangers—and must be treated as brothers and sisters by all United Association members.

2. Most travel card members are seeking work in areas other than their home Local Union—not through choice, but from economic necessity. As such, they generally incur double expenses providing for their families at home and expenses on the road.

3. Traveling members must bear their fair share of the expenses of the Local Union in whose territory

they are working, but must not be charged amounts in excess of those provided for in this Constitution.

4. Since all United Association members may be forced at some time to travel in search of work, we must all treat our traveling brothers and sisters as we would wish to be treated when we travel—with dignity, fairness and humanity.

5. Traveling members must respect the lawful practices, traditions and policies of Local Unions in whose territory they seek work.

6. Traveling members must be productive, reliable and efficient in their work to preserve the harmonious relationship between the Local Union and the employers.

7. Violations of this section of the Constitution by either traveling members or Local Unions are serious and will be dealt with firmly and in accordance with the provisions herein.

8. Traveling members have an obligation to know their rights and duties under this Constitution.

9. Each individual traveling member, whose rights under this section are violated by any Local Union, must report such violation in writing to the General President of the United Association giving his name, card number, and all pertinent data within fourteen (14) days of the initial date of the violation, regardless of the fact that the same or similar violations are repeated. If the individual traveling member fails to report the violation within fourteen (14) days to the General President of the United Association then the United Association shall have no obligation or responsibility to the traveling member as a result of the violation of this section.

(b) There shall be a card known as a travel card issued by the Business Manager (or officer designated by him) of the Local Union only to Building Trades journeymen members fulfilling the conditions prescribed by sub-section (c) of this section, who desire to travel from one Local Union to another in search of employment. Permanent travel cards shall be furnished to the Local Unions by the General Office for any good standing Building Trades journeymen members desiring to travel and shall be in such form as the General President with approval of the General Executive Board, shall from time to time prescribe or modify. Any Building Trades journeyman member shall obtain a travel card only from the Local Union in which he holds membership. It shall be deposited in a Local Union in which a member seeks employment. On leaving the jurisdiction of a Local Union in which his travel card is deposited, a member may in accordance with sub-section (j) request that Local Union to mail his travel card to him at the address indicated by him, and the Local Union shall comply with such request promptly.

Upon initial issuance by his home Local Union, each travel card shall be signed by the member who receives it in the presence of the officer issuing the same unless a waiver of this requirement is granted by the General Executive Board.

(c) A travel card shall be issued to a Building Trades journeyman desiring same, if he meets the following conditions:

1. He must be in good financial standing with all legal and valid financial obligations paid through the current month. The travel card shall be valid only when all legal and valid financial obligations are paid

to the home Local Union through the current month as evidenced by a member's membership card.

2. He must have held membership in the United Association for at least one (1) calendar year just prior to the issuance of the card. However, upon the approval of the International Representative, a travel card may be issued to a member who has less than one (1) calendar year of membership.

(d) A Building Trades journeyman member desiring to deposit a travel card in a Local Union shall present it together with his membership card, to the Local Union Business Manager, or his designated representative. Such officer or agent shall accept any travel card properly presented by a Building Trades journeyman member. Upon such member depositing the travel card, he may be required to sign his name in the presence of the Local Union officer or agent receiving it for identification purposes.

(e) Should any question arise as to the legality or validity of the issuance or acceptance of the travel card, the officer or agent of the Local Union issuing or accepting the travel card shall give immediate notice to the General President, who shall take appropriate action to adjust or decide the question so raised. The decision of the General President shall be final and binding, and there shall be no appeal from the decision of the General President to the General Executive Board.

(f) When a member deposits his travel card in a sister Local Union, he shall continue to pay all his regular financial obligations to the Local Union in which he holds membership, and shall retain all rights and privileges of membership in his home Local Union. As used herein, the term "regular financial obliga-

tions” shall mean the fixed amount of monthly dues or “window dues” and any assessments uniformly charged to members without regard to their hours worked or paid. The Local Union in which such a member holds membership may also collect from the member an amount up to one-half of the Local Union’s working assessment, as defined in subsection (g) below, provided that the Local Union is based in the United States and that, to the extent a working assessment equal to or greater than this amount was not previously collected by the Local Union, the collection of such amount has been approved in accordance with Section 130(c) of this Constitution. Violation of this sub-section shall be deemed just cause for a Local Union to refuse to accept further travel card monies from the traveling member. The travel card shall not be returned to the member until proof is received that all financial obligations to the home Local Union are paid through the current month. The above remedies shall be in addition to any legal rights the Local Union may have under a union security clause of its collective bargaining agreement for failure of the traveler to pay his home Local Union financial obligations or travel card monies.

(g) A local union in which a traveling member is working shall receive from the traveling member the working assessment uniformly collected from its members. The term “working assessment” in this subsection shall include a Local Union’s working assessment and any separate assessments that the Local Union uniformly collects from its members for marketing, organizing or other purposes. The term “working assessment” shall not, however, include any assessment or portion of an assessment supporting a Local Union death benefit program, nor shall it

include any contribution collected from the member and placed in a federal or state-registered political action committee. Notwithstanding the foregoing, nothing herein prohibits a traveling member from voluntarily agreeing to contribute to a political action committee, in which case the voluntary contribution shall remain in the political action committee.

Travel card dues shall be collected only for weeks in which the member actually works. The monies collected from the traveling member shall be used by the Local Union in which his travel card is deposited to help defray the administrative and collective bargaining expenses of the Local Union as well as the other expenses for which a Local Union member's payments are utilized. If travel card dues are paid directly to the Local Union rather than by check-off, it shall be paid weekly or monthly as determined by each Local Union and the member must be given a receipt at the time of payment.

If the Local Union in which a traveling member is working collects a working assessment from the traveling member that is equal to or greater than three percent (3%) of gross wages, it shall remit from the working assessment collected the proceeds of an equivalent one percent (1%) working assessment directly to the traveling member's home Local Union. If the Local Union in which a traveling member is working collects a working assessment from the traveling member that is less than three percent (3%) of gross wages, it shall remit one-third of the working assessment collected to the traveling member's home Local Union. The amount remitted to the home Local Union shall be known as the "shared traveler dues."

In the event a Local Union's working assessment, or any portion thereof, is defined in terms of dollars

and/or cents per hour, the Local Union shall convert it to a percentage for the purpose of determining whether the Local Union's working assessment is equal to or greater than three percent (3%) of gross wages. The determination of whether a Local Union's working assessment is equal to or greater than three percent (3%) of gross wages shall be made without regard to any contributions made by or on behalf of the traveler to a fringe benefit trust fund of the Local Union in which the traveler is working. In addition, contributions to a training trust fund shall not be subject to reciprocation to the traveler's home Local Union.

All shared traveler dues received by a Local Union shall be invested in programs dedicated to organizing and building work opportunities and market share in the Local Union's jurisdiction, except to the extent such monies are needed to pay the basic operating expenses of the Local Union. Each Local Union shall file a report with the General President, on a form provided by the General Secretary-Treasurer, identifying the amount of traveler dues collected, remitted and received during the prior calendar year.

The General President or his designee shall monitor compliance with the requirements of Section 220 related to shared traveler dues and monies charged to travelers and take such actions as he deems appropriate to ensure accountability.

Note: The Constitutional meaning and intent of Section (g) does not apply to Canada. Canada is exempt from Section (g). Please refer to Section (u).

(h) A traveling member shall not be entitled to voice or vote in the Local Union in which his travel

card is deposited, but shall enjoy the privilege of attending the meetings of the Local Union upon presentation of his membership card.

(i) The traveling member shall abide by all working rules and regulations, or by-laws relating to working rules and regulations, and collective bargaining agreements in effect in the Local Union in which his travel card is deposited. A traveling member violating this sub-section shall, after notice and hearing, be fined not more than \$500.00 by the Local Union in which his travel card is deposited.

A traveling member who fails to pay all travel card monies owed a local union, shall, after notice and a hearing, be fined by the Local Union in which his travel card is deposited not more than double the amount owed.

A traveling member shall be required to make payments to the Local Union in which his travel card is deposited only as set forth in this Section 220 and for such fines as may be lawfully levied.

(j) A Building Trades journeyman member who had deposited his travel card in a Local Union, and who desires to travel to another Local Union in search of employment, or to return to his home Local Union, must request return of his travel card from the Local Union Business Manager, or his designated representative. The travel card member may authorize the Business Manager, or his designated representative, to mail his travel card to him as provided in subsection (b).

(k) Upon payment of all amounts owing to such Local Union, and upon payment of any fines lawfully levied by such Local Union, and all financial obligations due to his home Local Union, such authorized

officer or representative shall release the travel card to the traveling member.

(l) Notwithstanding any other provision of this section, a Local Union may refuse to accept a travel card during a strike or lockout involving such Local Union, or if such card has been altered or defaced.

(m) Notwithstanding any other provision of this section, Local Unions which have or are subject to an established custom, practice or freedom of movement or other agreement permitting members to work in each other's territory without the issuance and depositing of travel cards or the payment of any fees, may continue such custom, practice or agreement with the approval of the General President. The General President may authorize said Local Unions to abide by and carry out said established custom, practice, or agreement to permit the members to work in each other's jurisdictions without the issuance or depositing of a travel card or payment of any fees.

(n) A travel card shall be accepted under the provisions of this section for one (1) Building Trades journeyman member for each branch of the craft, that is, one (1) plumber, one (1) steam fitter or pipe fitter, one (1) lead burner, and one (1) sprinklerfitter sent from one (1) Local Union to perform or install work in the jurisdiction of another Local Union for a contractor in agreement with the home Local Union ordinarily engaged in work elsewhere. Such journeymen although performing supervisory work, may also work with the tools, and shall not, in any event, be subject to an examination.

(o) A member who performs any work for any Employer contrary to Section 196 of this Constitution within the jurisdiction of a Local Union other than his

home Local Union, whether he deposits his travel card or not, shall, after notice and hearing, be fined not more than \$1,000.00 by the Local Union in which the violation occurs as a travel card violation.

(p) A traveling member of the United Association leaving the jurisdiction of a Local Union in which his travel card is deposited without reporting to the Business Manager or his designated representative, and without having his travel card released to him, shall, after notice and hearing by the Local Union in which his travel card is deposited, be fined a sum not to exceed \$500.00.

(q) Any member found to have issued or obtained or received a travel card illegally or fraudulently in violation of this section shall, after notice and hearing, be fined a sum not to exceed \$500.00.

(r) A Local Union or any officer, or designated representative refusing to accept a travel card or permitting, in violation of this section, a member of the United Association to work or be employed in the jurisdiction of the Local Union without requiring the member to deposit a travel card or violating this Section in any other way shall be disciplined under Section 204 of this Constitution.

(s) Whenever the United Association assumes jurisdiction over a construction project or job site, the United Association may honor and accept travel cards that are issued by Local Unions in conformity with the Constitution, and the United Association may collect travel card monies as provided by this Constitution. The United Association may also return travel cards to the members in accordance with the requirements of this Constitution, and may direct that travel card monies be paid to a Local Union which is

assisting the United Association in administering the project or job site.

(t) Any officer or member of a Local Union who is authorized to accept a travel card and who refuses to accept a travel card in violation of the laws of the United Association or who attaches or levies other conditions on a travel card member in violation of the laws of the United Association, after notice and trial under Section 204 of this Constitution shall be fined, suspended or expelled by the General Executive Board.

(u) The General Executive Board is authorized to develop and promulgate separate travel card rules for the Local Unions located in Canada after consultation with the Director of Canadian Affairs and the Canadian Advisory Committee.

(v) The General President shall appoint a Travel Card Committee whose members shall serve at his discretion. This Committee shall be available to consider requests from Local Unions regarding any provision of Section 220 and to grant exceptions or waivers to any such provision when the Committee deems it appropriate. The Committee's decisions shall be final and binding with no appeal.

Transfer Cards for Building and Construction Trades Journeymen and Metal Trades Journeymen

SEC. 221. (a) There shall be a card known as a transfer card issued to journeymen members of the United Association. When transfer cards are issued, they must specify the type of membership, whether Building and Construction Trades, Metal Trades, or combination Local Union, and if a combination Local

Union, the transfer card shall state in what branch the member was affiliated, whether Building and Construction Trades or Metal Trades, and state the date of initiation and/or reinstatement, and by which Local Union. A journeyman member shall be entitled to deposit his transfer card only in a Local Union having trade jurisdiction over the craft in which he is qualified. A transfer card issued:

1. to a journeyman holding membership in a Building and Construction Trades Local Union can be deposited in a Building and Construction Trades Local Union, Metal Trades Local Union, or a combination Local Union.

2. to a journeyman member of a combination Local Union affiliated with a Building and Construction Trades branch of a combination Local Union may be deposited by a journeyman member in a Building and Construction Trades Local Union, or in a Metal Trades Local Union, or in a combination Local Union.

3. to a journeyman member of a Metal Trades Local Union or a Metal Trades journeyman member of a combination Local Union can only be deposited in a sister Metal Trades Local Union or in the Metal Trades branch of a combination Local Union, and cannot be deposited in a Building and Construction Trades Local Union.

(b) Transfer cards shall be in such form as the General President shall prescribe and shall be furnished by the General Office. Transfer cards shall be issued by the Financial Secretary of the Local Union only to journeymen members who have satisfied the requirements of Section 221(d).

(c) A journeyman member requesting a transfer card must file a signed statement with the Local Union satisfactorily showing that he is permanently changing and moving his domicile and residence to the territorial jurisdiction or area of the Local Union to which he desires to transfer his membership.

(d) No transfer card shall be issued to a journeyman member unless he has had a valid travel card on file in the Local Union to which he wishes to transfer for at least three (3) years prior to his application for the transfer card.

(e) No transfer card shall be issued to a journeyman member unless he has paid up-to-date all legal and valid financial obligations to his Local Union, and unless no charges are pending against him for violating the laws and rules of the United Association or of an affiliated Local Union.

(f) With the issuance of a transfer card the home Local Union shall mail the signed statement of the journeyman member to the Business Manager of the Local Union to which he is permanently changing or moving his domicile and residence. A transfer card shall remain valid no longer than thirty (30) days from the date of issuance, as shown on the card, or until deposited, whichever is earlier.

Note: “Home Local Union” means the Local Union to which you are paying your regular monthly dues.

(g) Within thirty (30) days from the date a transfer card is issued, the member holding such card shall deposit it in the Local Union where he is transferring or return the card to the Local Union issuing the same. The Local Union Business Manager, or the officer or agent designated by him, must accept any transfer

card properly presented by a journeyman member of the United Association issued in accordance with this Constitution, unless there is a strike or a lockout in the locality. Upon the member depositing the transfer card, he shall be required to sign his name in the presence of the Local Union officer or agent receiving it for identification purposes. Promptly at the end of each month, the Financial Secretary of the Local Union shall forward to the General Office all transfer cards which have been accepted by the Local Union within the month.

(h) The Local Union shall accept the transfer card properly presented for deposit which was issued in accordance with this Constitution and make an investigation of the facts set forth in the signed statement of the journeyman member that he has permanently changed and moved his domicile and residence to the territorial jurisdiction or area of the Local Union.

(i) Within thirty (30) days after the transfer card has been deposited, if a question arises as to the legality or validity of accepting the transfer card or the issuance of the transfer card, the Local Union accepting or issuing the transfer card shall file a protest with the General President who shall take appropriate action to adjust or decide the protest so made. The decision of the General President shall be final and binding, and no appeal can be made to the General Executive Board. A member holding or denied a transfer card shall have a right to protest to the General President who shall take similar action with similar finality as in the case of a Local Union protest.

(j) Whenever the United Association assumes supervision or control over the affairs of a Local Union, it may issue transfer cards to the members in

conformity with the provisions of this section dealing with transfer cards.

(k) After issuance of a transfer card, a journeyman member shall remain a member of the Local Union issuing the transfer card until such time as the transfer card is deposited in the Local Union where he is permanently changing and moving his domicile and residence.

(l) When the transfer card is deposited and accepted by a Local Union, the journeyman member shall then be entitled to all the rights and privileges and subject to all the duties of membership in such Local Union as are conferred or imposed upon other members similarly situated in accordance with the laws of the United Association. A journeyman member depositing a transfer card in a Local Union shall be required to pay dues and assessments to such Local Union commencing with the month in which the card is deposited.

(m) Advance dues and assessments paid to the Local Union issuing the transfer card for any period as to which an obligation exists under this subsection to pay dues and assessments to the Local Union in which the transfer card is deposited, less any per capita or assessments already paid to the United Association, shall, upon request, be remitted to the Local Union in which such card is deposited, and credited toward the obligations of the member in the Local Union to which he has transferred.

(n) A Local Union acting through its officers or agents, refusing to accept a transfer card in violation of the laws of the United Association shall, in addition to the penalties imposed, and in accordance with the procedures provided by Sections 90 and 93, be penal-

ized \$100.00 for each day after such transfer card is properly presented to the Local Union for deposit until such card is accepted, each such day constituting a separate offense.

(o) Any officer or member of a Local Union who is authorized to accept transfer cards, and who refuses to accept a transfer card in violation of the laws of the United Association, shall, after notice and trial, be fined, suspended or expelled by the General Executive Board.

(p) No Local Union Financial Secretary shall be eligible to sign or issue a transfer card to himself, but such card shall be issued only by the President of his Local Union on the same terms and conditions as govern other transfer cards under this section. No officer or agent of a Local Union who receives, deals with or handles money or finances of the Local Union shall be issued a transfer card unless the books and finances of the Local Union shall have first been audited by the Finance Committee or a Certified Public Accountant. Any transfer card so issued without such pre-audit and a reasonable opportunity for appropriate action on the basis thereof, shall be void and of no effect.

(q) Any member found to have obtained or received, or to have issued a transfer card illegally or fraudulently, in violation of this section, shall, after notice and hearing, be fined a sum not to exceed \$250.00, together with cancellation of the transfer card.

(r) Whenever the General President determines that a Local Union has a serious unemployment problem or a Local Union has an abnormally excessive amount of work in its territorial jurisdiction, the General President shall have the discretionary authority to sus-

pend the transfer card provisions for a Local Union and thereby authorize a Local Union to refuse to accept transfer cards. In making a determination to suspend Section 221 for a Local Union, the General President shall have the discretionary authority to prescribe the duration of the suspension of Section 221. All decisions made by the General President relative to this section shall be subject to approval of the General Executive Board.

Additional Travel and Transfer Regulations

SEC. 222. (a) The General President with the consent and approval of the General Executive Board shall be empowered to make such reasonable rules and regulations as he deems necessary to carry out and effectuate the purpose and intent of Sections 220 and 221. He may also exercise this authority to make such changes or exceptions to Sections 220 and 221 as he deems necessary to address varying conditions and unanticipated issues that may arise.

(b) The General President shall be empowered to prescribe reasonable rules and regulations regarding the issuance of transfer or travel cards for Building Trades apprentice members.

PROVISIONS RELATING TO MARINE PIPEFITTER-METAL TRADES LOCAL UNIONS OR BRANCHES, AND METAL TRADES LOCAL UNIONS OR BRANCHES

Local Unions which contain Marine Pipefitters shall be known as Marine Pipefitter-Metal Trades Local Unions, or as a Marine Pipefitter-Metal Trades branch of combination Local Unions. Each such Marine Pipefitter-Metal Trades Local Union, or Marine Pipefitter-Metal Trades branch of a combination Local Union, shall have two (2) divisions: The Marine Pipefitter division and the Metal Trades division. The two (2) divisions shall be governed by the following provisions which are an integral part of the United Association Constitution. These provisions recognize the skilled nature of Marine Pipefitters and the nature of Metal Trades employment and shall govern the qualifications and procedures for Marine Pipefitter membership and Metal Trades membership. Local Unions which do not have Marine Pipefitters but just Metal Trades jurisdiction shall be referred to as Metal Trades Local Unions or Metal Trades branch of combination Local Unions, and shall be governed only by the "Metal Trades" provisions which follow. Any reference to Metal Trades Local Unions or Metal Trades branch of combination Local Unions or Metal Trades membership in Sections 1 through 222 of the United Association Constitution shall mean Marine Pipefitter-Metal Trades Local Unions or branches and Metal Trades Local Unions or branches and Marine Pipefitter membership as well as Metal Trades membership.

MARINE PIPEFITTER QUALIFICATIONS AND MEMBERSHIP PROCEDURES

Journeyman Membership

SEC. MP-1. (a) The membership designation of Marine Pipefitter journeyman or apprentice on membership cards shall be "Marine Pipefitter" or "Marine Pipefitter Apprentice" or appropriate abbreviation. Journeyman membership in the Marine Pipefitters division of a Marine Pipefitter-Metal Trades Local Union or Marine Pipefitter-Metal Trades branch of a combination Local Union shall be open to all skilled Marine Pipefitters and an application for such membership must contain information as to the prospective member's experience and/or training. He must have the following qualifications:

1. At least a minimum of five (5) years actual practical working experience in the installation of plumbing and pipe fitting systems on ships or in the construction or fabrication of plumbing and pipe fitting systems in shipyards to be installed in ships.

2. Have successfully completed an apprenticeship program in the marine pipefitting field of at least five (5) years' duration approved by the Training Department of the United Association or have equivalent experience as determined by the Local Union.

3. Pass an examination in the marine pipefitting field administered by the Local Union to which he desires to become a member and approved by the Training Department of the United Association, or a test administered by his employer and approved by the Training Department.

4. He must be of good moral character.

(b) Notwithstanding the preceding subsection, the General President may establish provisional classifications of journeyman membership for organized persons who have fewer than five years of actual practical working experience or other significant limitations in experience, but who possess skills that, in the judgment of the General President, are needed in the United Association. The General President may adopt rules and regulations governing the admission and rights and obligations of any classification he establishes pursuant to this subsection.

Marine Pipefitter Membership Procedures

SEC. MP-2. Every applicant for Marine Pipefitter membership must completely fill out an application on forms furnished by the General Secretary-Treasurer which shall be filed in the General Office of the United Association.

SEC. MP-3. Each applicant for journeyman Marine Pipefitter membership in a Marine Pipefitter division of a Marine Pipefitter-Metal Trades Local Union or a Marine Pipefitter-Metal Trades branch of a combination Local Union must submit (or have submitted) an affidavit or affidavits from a recognized employer or employers vouching for the applicant's ability to adequately perform the work of a Marine Pipefitter and also vouching for his character. These affidavits must cover a minimum of five (5) years actual practical working experience in the installation of plumbing and pipefitting systems on ships or in the construction of shipboard plumbing and pipefitting systems fabricated in shipyards. These affidavits will be furnished to the applicant by the Local Union on forms supplied by the General Secretary-Treasurer.

Apprentice Membership

SEC. MP-4. Before an applicant can be admitted as an apprentice Marine Pipefitter, he must have a sound moral character and must agree to the following:

1. That he will work at the Marine Pipefitting Trade with the intention of learning all phases of the work of a journeyman Marine Pipefitter.
2. That he is willing to combine classroom training with on-the-job training.
3. That he will complete a five (5) year Marine Pipefitting apprenticeship training program approved by the Training Department of the United Association.

Termination of Apprentice Membership

SEC. MP-5. Termination and/or cancellation of an apprentice Marine Pipefitter's apprentice agreement for just cause by an apprentice committee or the employer shall automatically terminate his membership in the United Association and the Local Union. There shall be no appeal to the United Association by an apprentice on the termination of his membership.

Transfer of Marine Pipefitter Journeyman from a Marine Pipefitter Division of a Local Union to a Marine Pipefitter Division of another Local Union

SEC. MP-6. A journeyman member of a Marine Pipefitter division of a Marine Pipefitter-Metal Trades Local Union or a Marine Pipefitter-Metal Trades branch of a combination Local Union shall be eligible to transfer his membership to another Marine Pipefitter division of a Marine Pipefitter-Metal Trades Local Union or Marine Pipefitter-Metal Trades branch of a combination Local Union provided the applicant-member has the following qualifications:

1. That he is employed in the shipbuilding industry under a collective bargaining agreement with a United Association Local Union to which he desires to transfer his membership.

2. That he has been a member of a Marine Pipefitter division of a Marine Pipefitter-Metal Trades Local Union or Marine Pipefitter-Metal Trades branch of a combination Local Union for at least three (3) years.

3. He must be of good moral character.

Transfer of a Marine Pipefitter Journeyman from a Marine Pipefitter Division to a Building and Construction Branch or Local Union

SEC. MP-7. A journeyman member of a Marine Pipefitter division of a Marine Pipefitter-Metal Trades Local Union or Marine Pipefitter-Metal Trades branch of a combination Local Union shall be eligible to transfer his membership to a Building and Construction Trades Local Union or a combination Local Union (Building and Construction Trades branch) only in the same locality as the applicant's Marine Pipefitter-Metal Trades Local Union. Such applicant-member must also possess the following qualifications:

1. He must have had at least five (5) years actual practical working experience in the plumbing and pipefitting industry.

2. He must have been a journeyman member of a Marine Pipefitter division of a Marine Pipefitter-Metal Trades Local Union or a Marine Pipefitter-Metal Trades branch of a combination Local Union of the United Association for at least one (1) year.

3. He must be of good moral character.

4. He must pass a satisfactory examination as to his skill and ability as a Building and Construction Trades journeyman, conducted by the Examining Committee of the Building and Construction Trades Local Union or the Building and Construction Trades branch of a combination Local Union.

Such applicant-member shall pay the difference, if any, between the initiation fee he paid to the Marine Pipefitter division of the Marine Pipefitter-Metal Trades Local Union or branch and the initiation fee of the Building and Construction Trades Local Union or branch in effect at the time of the transfer.

Scope of Jurisdiction

SEC. MP-8. Marine Pipefitter journeymen and apprentices shall only perform plumbing and pipefitting work on ships and plumbing and pipefitting systems which are to be installed on ships and which are constructed and fabricated in shipyards.

Travel Cards

SEC. MP-9. Notwithstanding anything to the contrary contained in Section 220 of this Constitution, a Marine Pipefitter journeyman may be issued a travel card by his home Local Union if he is legitimately laid off from his employment as a Marine Pipefitter journeyman. Travel cards shall not be available to Marine Pipefitters who quit their employment or are suspended, terminated or otherwise separated from their employment. The travel card shall be valid only for the period of lay-off and is automatically revoked as of the date of recall to marine pipefitter employment. A Marine Pipefitter journeyman whose lay-off is converted to termination through no fault of the member shall continue to be eligible for a travel card

until his Local Union advises him of available work opportunities in his classification in the geographical area of his home Local Union. If the Marine Pipefitter journeyman refuses such employment his travel card shall be automatically revoked.

When a travel card is revoked for the above reasons the Business Manager of the Marine Pipefitter journeyman's home Local Union shall notify the Local Union in which the travel card is deposited that the travel card is no longer valid.

The travel card shall only be issued by the Business Manager of the Marine Pipefitter's home Local Union if he has received notice of available work opportunities in another specific Local Union. The Marine Pipefitter's travel card shall designate the number and location of the Local Union to which the Marine Pipefitter is traveling and shall only be accepted by that Local Union.

The General Secretary-Treasurer, with the approval of the General Executive Board, shall design a new travel card to be utilized solely for Marine Pipefitter journeymen. Travel cards for Marine Pipefitter journeymen shall only be valid for a period of ninety (90) days from date of issuance. Prior to the expiration of his travel card a Marine Pipefitter shall request a new card from his home Local Union. If he is eligible for the new card his home Local Union shall supply it to him.

The Marine Pipefitter journeyman shall be subject to all the provisions of Section 220 of the United Association Constitution not inconsistent with this Section MP-9.

SEC. MP-10. The provisions of Sections MT-14, 15, 16 and 17, as contained in the following section,

shall be applicable to Marine Pipefitter members as well as Metal Trades members and must be fully complied with.

SEC. MP-11. All other sections of the United Association Constitution, except those solely related to Building and Construction journeymen and apprentices, shall be applicable to Marine Pipefitter journeymen and apprentices.

METAL TRADES QUALIFICATIONS AND MEMBERSHIP PROCEDURES

Purpose of and Requirements for Metal Trades Membership

SEC. MT-1. Membership in Metal Trades divisions of Marine Pipefitter-Metal Trades Local Unions, or Metal Trades Local Unions, or Metal Trades branches of combination Local Unions shall be open to all Metal Trades journeyman and Metal Trades apprentices performing work related to the plumbing and pipefitting and/or mechanical equipment and service industries, such as gas workers, railroad pipefitters and in some areas refrigeration mechanics and employees engaged in the speculative housing or residential installation of plumbing and piping systems. Membership in a Metal Trades division, or Local Unions, and Metal Trades branches of combination Local Unions shall also be open to production, maintenance, service and other categories of employees performing work related to the plumbing and pipefitting industry, or unrelated to the plumbing and pipefitting industry if such employees are working in a facility where work related to the plumbing and pipe fitting industry is being performed. Such members shall be called Production Workers.

Journeyman Membership

SEC. MT-2. (a) Before an applicant can be admitted as a journeyman Metal Trades member in a Metal Trades Local Union, or a combination Local Union (Metal Trades branch), or a refrigeration or speculative housing or residential division of a Building and Construction Trades Local Union or combination Local Union, he must have the following qualifications:

1. Be a skilled Metal Trades craftsman with a minimum of five (5) years actual practical working experience related to the plumbing and pipefitting and/or mechanical equipment and service industries.

2. Have successfully completed an apprenticeship program in the industry in which he is employed or possess the actual practical working experience required to be a journeyman in the industry in which he is employed.

3. A good moral character.

(b) Notwithstanding the preceding subsection, the General President may establish provisional classifications of journeyman membership for organized persons who have fewer than five years of actual practical working experience or other significant limitations in experience, but who possess skills that, in the judgment of the General President, are needed in the United Association. The General President may adopt rules and regulations governing the admission and rights and obligations of any classification he establishes pursuant to this subsection.

Apprentice Membership

SEC. MT-3. Before an applicant can be admitted as an apprentice Metal Trades member in a Metal Trades division, or Local Union, or a combination Local Union Metal Trades branch, or a refrigeration or speculative housing or residential division of a Building and Construction Trades Local Union or a combination Local Union, he must have a sound moral character and must agree to the following:

1. That he will work at the trade with the intention of learning all phases of the work of a journeyman Metal Tradesman.

2. That he is willing to combine classroom training with on-the-job training.

3. That he will complete the Metal Trades apprenticeship training program where such program exists or that he will work at the trade for the required number of years for becoming a journeyman Metal Tradesman in the industry in which he is employed.

Termination of Apprentice Membership

SEC. MT-4. Termination and/or cancellation of an apprentice Metal Tradesman apprentice agreement for just cause by an apprentice committee or the employer shall automatically terminate his membership in the United Association and the Local Union. There shall be no appeal to the United Association by an apprentice on the termination of his membership.

Production Worker Membership

SEC. MT-5. An applicant for membership in a Metal Trades division, or Local Union, or a combination Local Union, or a refrigeration or speculative housing or residential division of a Building and Construction Trades Local Union, or combination Local Union who is not a skilled journeyman Metal Tradesman or an apprentice Metal Tradesman, but who is performing unskilled or semi-skilled work or work unrelated to the installation, repair and maintenance of plumbing and pipefitting systems and mechanical equipment, may be admitted as a production work Metal Trades member provided he submits proof that:

1. He is employed under a collective bargaining agreement with the United Association Local Union to whom he has made application in a classification of

work that is not the work of a journeyman Metal Tradesman or apprentice Metal Tradesman.

2. He must be of good moral character.

Termination of Production Worker Membership

SEC. MT-6. When a production worker Metal Tradesman's employee status in a bargaining unit represented by his Local Union terminates for whatever the reason, his membership in the United Association and the Local Union shall automatically terminate. In the event he is subsequently employed in a bargaining unit represented by his Local Union he shall not be required to pay a new initiation fee. If such an employee holds a Local Union office his membership shall not terminate automatically until the expiration of his term of office.

Transfers Between Metal Trades Local Unions and Building and Construction Trades Local Unions

SEC. MT-7. A journeyman member of a Building and Construction Trades Local Union may obtain work in the jurisdiction of a Marine Pipefitter-Metal Trades Local Union or branch, or a Metal Trades Local Union, and shall be eligible for membership in such Local Union or branch or division, but a journeyman Marine Pipefitter or Metal Tradesman shall not be eligible for membership in a Building and Construction Trades Local Union, or in a Building and Construction Trades branch of a combination Local Union until he qualifies under the conditions of Sections MP-5, MT-9, and MT-10 of this Constitution.

Transfer of Metal Trades Journeyman from a Metal Trades Local Union to another Metal Trades Local Union

SEC. MT-8. A journeyman member of a Metal Trades Local Union or division or branch shall be eligible to transfer his membership to another Metal Trades Local Union, division or a combination Local Union (Metal Trades branch) provided the applicant member has the following qualifications:

1. That he is employed in the Metal Trades industry under a collective bargaining agreement with the United Association Local Union to which he desires to transfer his membership.

2. That he has been a member of a Metal Trades Local Union or division or a Metal Trades branch of a combination Local Union for at least three (3) years.

3. He must be of good moral character.

Transfer of Metal Trades Journeyman from a Metal Trades Local Union to a Building and Construction Trades Local Union

SEC. MT-9. A journeyman member of a Metal Trades division, branch, or Local Union, shall be eligible to transfer his membership to a Building and Construction Trades Local Union or a combination Local Union (Building and Construction Trades branch) only in the same locality as the applicant's Metal Trades Local Union. Such applicant member must also possess the following qualifications:

1. He must have had at least five (5) years actual practical working experience in the plumbing and pipefitting industry.

2. He must have been a member of a Metal Trades division or Local Union, or a Metal Trades branch of a combination Local Union of the United Association, for at least three (3) years.

3. He must be of good moral character.

4. He must pass a satisfactory examination as to his skill and ability as a Building and Construction Trades journeyman conducted by the Examining Committee of the Building and Construction Trades Local Union or the Building and Construction Trades branch of a combination Local Union.

Such applicant member shall pay the difference, if any, between the initiation fee he paid to the Metal Trades division or Local Union or branch, and the initiation fee of the Building and Construction Trades Local Union or branch in effect at the time of the transfer.

Transfer of a Metal Trades Journeyman from a Metal Trades Division, Branch, or Local Union to a Marine Pipefitter Division of a Local Union

SEC. MT-10. A journeyman Metal Trades member shall be eligible to transfer his membership to a Marine Pipefitter division of a Local Union only in the same locality as the applicant's Metal Trades division, branch or Local Union. Each applicant member must also have the following qualifications:

1. He must be employed in the shipbuilding industry under a collective bargaining agreement with a United Association Local Union.

2. He must have had at least five (5) years actual practical working experience in the plumbing and pipefitting trade in shipyards.

3. He must have been a journeyman member of a United Association Metal Trades division, branch or Local Union for at least one (1) year.

4. He must be of good moral character.

5. He must pass a satisfactory examination as to his skill and ability as a Marine Pipefitter administered by the Local Union of which the Marine Pipefitter division he desires to transfer into is a part.

Such applicant member shall pay the difference, if any, between the initiation fee he paid to the Metal Trades division, Local Union or branch and the initiation fee of the Marine Pipefitter division in effect at the time of the transfer.

Scope of Jurisdiction

SEC. MT-11. Metal Trades journeymen, Metal Trades apprentices and Production Workers shall only perform such work as is covered under the jurisdiction of their Metal Trades Local Union, Metal Trades branch of their combination Local Union, or the separate division of a Local Union of which they are members.

Metal Trades Membership Procedures

SEC. MT-12. Every applicant for a Metal Trades membership must completely fill out an application on forms furnished by the General Secretary-Treasurer which shall be filed in the General Office of the United Association.

SEC. MT-13. Each applicant for journeyman Metal Trades membership in a Metal Trades division or Local Union, or a combination Local Union or a refrigeration or speculative housing or residential division of a Building and Construction Trades Local

Union or combination Local Union must submit (or have submitted) an affidavit or affidavits from a recognized employer or employers vouching for the applicant's ability to adequately perform the work of his trade and also vouching for his character. These affidavits must cover a minimum of five (5) years actual practical working experience related to the plumbing and pipe fitting and/or mechanical equipment and service industries. These affidavits will be furnished to the applicant by the Local Union on forms supplied by the General Secretary-Treasurer.

SEC. MT-14. Anyone who shall certify to any false statement or fact, or falsely answer on any of the official forms of application for membership, or file false and fraudulent affidavits, or otherwise by any false pretense, misrepresentation or fraud, attempt to secure, or does secure, acceptance as a member of the United Association or any chartered or affiliated Local Union, shall immediately forfeit all further right to consideration as an applicant, and shall immediately forfeit membership by immediate cancellation if membership has already been acquired or established in the manner specified herein, upon evidence of such false pretense, misrepresentation or fraud being presented to the General Officers.

SEC. MT-15. (a) All applicants who have qualified and whose applications have been accepted shall be notified by the Local Union. The applicant shall be given at least ten (10) days notice before the date of initiation and obligation and at the same time he shall be furnished with a copy of the Constitution and Ritual of the United Association, with instructions to read them and familiarize himself with all provisions, requirements and obligations contained therein,

before the pledge and oath of obligation is administered to him as a member.

(b) As an alternative to the taking of the pledge and oath of obligation at a Local Union meeting, a qualified applicant may sign a written pledge and oath of obligation at the time he submits his application or at any time before he is admitted as a member. The General Secretary-Treasurer is authorized to prepare such a written pledge and oath of obligation which may be a simplification of the pledge set forth in Section MT-16.

Pledge

SEC. MT-16. Each applicant before becoming a member shall take the following pledge and oath of obligation:

I, (state name) _____, in the presence of this Local Union, do truly promise and pledge my word of honor that I am familiar with the provisions and requirements of the Constitution of the United Association and that I will not perform any act in anyway prejudicial to the best interest of the United Association, but will at all times endeavor to promote its prosperity and usefulness. I hereby agree to remain loyal and true to the principles and policies and to be governed by the Constitution and By-Laws and Ritual of the United Association and the Local Union in any and all matters now or that may hereafter be included therein. I further pledge that I will faithfully attend all meetings of the Local Union unless prevented by sickness or other causes beyond my control. I will at all times assist members of the United Association to the extent of

my ability, defend them when unjustly treated or slandered, and cultivate for each and every member the warmest friendship and brotherly love. I will assist unfortunate or distressed members to procure employment.

I do further promise and swear that I am not a member of any organization advocating the overthrow by force and violence of the Government of the United States or of Canada.

I take this obligation voluntarily, without any mental reservation, and bind myself until death under the penalty of scorn due to moral perjury and violated honor as one unworthy of trust or assistance.

SEC. MT-17. (a) When all requirements of this Constitution have been complied with, including the filing of application form, affidavits, etc., and the applicant has been initiated (taken the pledge and oath of obligation) in accordance with Sections MT-15(a) or MT-15(b), the Recording Secretary shall duly enter the name of the applicant as a member on the records of the Local Union. A membership card shall be furnished to said applicant.

Note: The Constitutional meaning and intent of the above Sections MT-15(b) and MT-17(a) is that an applicant signing a written pledge and obligation shall not be a member and his pledge shall not be effective until his application is accepted in accordance with Local Union admission to membership practices.

(b) An applicant's admission into membership in a Local Union and in the United Association is contingent upon and subject to the requirements that the

General Secretary-Treasurer processes the application, finds it in order, and issues a membership card. The General Secretary-Treasurer shall have the discretionary authority to refuse to process an application and issue a membership card where an applicant is unqualified or is not a resident of the geographical area of the Local Union.

SEC. MT-18. The General President shall have the discretionary authority to amend the charter of a Marine Pipefitter Metal Trades Local Union, a Metal Trades Local Union or the Metal Trades branch of a combination Local Union to authorize the Local Union or the branch to organize classifications of workers in industries that may not be included within its charter jurisdiction granted by the United Association.

SEC. MT-19. All other sections of the United Association Constitution, except those solely related to Building and Construction journeymen and apprentices, shall be applicable to Metal Trades journeymen, apprentices and Production Workers.

SEC. MT-20. The General President shall appoint a committee which shall include members of Local Unions which represent Marine Pipefitters and Metal Trades members. Between conventions, the General President may refer to this committee issues affecting Marine Pipefitters and Metal Trades members which the General President determines may require changes in the United Association Constitution. Subject to the approval of the General Executive Board, the General President and the committee he appoints shall have complete discretionary authority to revise and change existing provisions of the Constitution affecting Marine Pipefitters and Metal

Trades members. Once adopted by the General President and the committee and approved by the General Executive Board, any revision shall have the force and effect of law, and shall be incorporated in and become part of the Constitution.

RULES OF ORDER FOR UNITED ASSOCIATION CONVENTION

Organization of Convention

1. The General President of the United Association (hereinafter the "President") shall be Chairman of the convention and preserve order and decorum in the proceedings. The President may relinquish the chair at any time to any member, but such a substitution shall not extend beyond conclusion of that day's session.

2. For each session, the President shall call the convention to order at the appointed hour.

3. After the convention is called to order on the first day, the names of the delegates shall be recorded and absentees noted. One-third of the members elected to the convention shall constitute a quorum to do business. Members and officers of the convention are required to attend each session of the convention except upon a leave of absence granted by the President.

4. All committees and committee members shall be appointed by the President and shall serve at his pleasure. The President may direct any committee or subcommittee of a committee to meet prior to the convention to consider matters referred to such committee.

5. Each committee shall take up any and all matters referred to that committee by the President or by the convention.

6. When a motion is made to refer a particular matter to committee, the President shall determine to which committee the matter shall be referred.

7. Each committee will submit a report to the President on each matter referred to the committee and thereafter each report will be read to the convention by a member of the committee or a person designated by the President without a motion.

Order of Procedures

8. Except as otherwise provided for by these rules, the order in which questions will be entertained by the convention will be determined by the President. The President will announce each question in turn.

9. Once a question is announced, a member who wishes to address the convention will rise and respectfully address the President. The President shall announce the member by name and then the member may speak. The President shall recognize speakers in the order in which they rose to speak, but when two or more members rise at once, the President will name the member who is to speak first.

10. No two members from the same Local Union shall speak on the same question in succession unless the members from other Local Unions do not wish to address the convention.

11. No member will be allowed to speak more than twice on the same question and unless the convention grants an exception, no member will be allowed to speak for more than five minutes on each question.

12. Each recognized speaker will limit his or her remarks to the merits of the question before the convention and avoid personalities.

13. When a question is being debated, the convention will only entertain motions to adjourn, to recess, to lay the question on the table, to vote on the question, (move the previous question) to amend the ques-

tion, and to postpone the question indefinitely. If more than one of the above listed motions is made, the motions will be considered in the order set out herein.

14. Motions to amend which involve a subject unrelated to the question before the convention will not be allowed.

15. No debate will be allowed on motions to adjourn, recess, lay on the table, to vote on the question, postpone or take from the table.

16. If a member violates the rules of the convention, the President may call the member to order or any member of the convention may raise a point of order.

17. When a point of order is raised, the speaker will be seated and the President will decide the point of order without debate. The President's decision may be appealed to the convention upon a motion duly seconded. Debate may be had on any motion for an appeal of the President's decision. In such a debate, the President may speak in preference to other members.

18. If a point of order is decided in favor of the member called to order, he or she may proceed. If a point of order is decided against a member, he or she will not be allowed to proceed.

19. All motions and points of order will be restated by the President if he deems it necessary.

Voting

20. At the conclusion of debate or upon a successful motion to vote on the main question, the President or his designee shall summarize the question. The President shall then ask all in favor of the question to say aye and all opposed to say no.

21. When a question is put, or the President is addressing the convention, all members will be seated.

22. After an expression of the ayes and no's, the President will announce the result of the vote. If the President has doubts about the result he may call for a division of the house. If a member moves immediately for a division of the house and such motion is duly seconded, the President shall put such motion to a vote without debate, and if carried by a majority of the members present voting by voice, the President shall order a division of the house.

23. If a division of the house is called, all those in favor of the question will rise and be counted. After the count is made by the General Secretary-Treasurer, all those opposed will rise and be counted and all those in favor will be seated. The result of the division of the house will then be announced to the convention.

24. A motion to reconsider a vote must be made by a member voting with the prevailing side, and a motion to reconsider must be made within forty-eight (48) hours after the vote was taken or before the adjournment of the convention, whichever occurs first.

General Rules

25. Except as provided in the following sentence, these rules shall not be altered without twenty-four (24) hours notice of a proposed change and approval by majority vote of all members of the convention. The convention may adopt special rules to supplement these rules at the start of the convention. No rule or order of business shall be suspended except by a vote of at least three-fourths of those present.

26. Unless otherwise specified, all matters will be decided by a majority of those voting. Voting in committees will be on the same basis.

27. Roberts Rules of Order, Current Edition, shall control in all cases not provided for in these rules.

ORDER OF BUSINESS OF THE UNITED ASSOCIATION CONVENTION

1. Call to order by the General President and opening remarks.

2. Announcement of members appointed to Standing Committees.

3. Report of Committee on Credentials.

4. Report of Standing Committees to be made throughout convention as called on by General President.

5. Call convention to order to stand in silence for one minute on the second day of convention at 11 a.m. to respect and honor the memory of our deceased members.

6. Election of Officers may take place on any day during the convention that is decided upon by a majority vote of the delegates present, or may be set by the Committee on Rules and Order for a special order of business at least one session previous to the time specified.

7. Installation of Officers.

8. Adjournment.

**JURISDICTION OF WORK OF THE
UNITED ASSOCIATION OF
JOURNEYMEN AND APPRENTICES
of the
PLUMBING AND PIPE FITTING INDUSTRY
of the
UNITED STATES AND CANADA**

By the decision of the American Federation of Labor, rendered at both the Atlanta and Rochester conventions, the substance of this action of these conventions of the American Federation of Labor was that there was only room for one organization in the pipe fitting industry; and that the United Association of Journeymen Plumbers and Steam Fitters is recognized as the only organization having complete control of the pipe fitting trade and industry in its entirety throughout the United States and Canada.

It is the imperative duty of the members of the United Association to be ever alert to see to it that the work as outlined here in this jurisdiction of work shall be done by the members of the United Association throughout our entire jurisdiction.

Following are the official decisions of the American Federation of Labor:

Atlanta Decision

The Atlanta convention of the American Federation of Labor, held in Atlanta, Ga., November 13 to 25, inclusive, 1911, declared "that both for harmony and practicability the pipe fitting trade should be represented in the American Federation of Labor, also in the Building Trades Department, by one general association of the Pipe Fitting Industry, namely, the

United Association of Plumbers, Gas Fitters, Steam Fitters and Steam Fitters' Helpers of the United States and Canada, and further that the Executive Council of the Building Trades Department be requested to carry that declaration into effect." (See page 339 of the 1912 Rochester Convention proceedings.)

Rochester Decision

The Adjustment Committee's report to the delegates assembled at the Rochester convention of the American Federation of Labor, held at Rochester, N.Y., November 11 to 23, inclusive, 1912, is as follows:

"Your committee reports that it has considered carefully the efforts made by the Executive Council of the American Federation of Labor to carry out and make effective the instructions of the Atlanta convention, which declared that both for harmony and practicability the pipe fitting trade should be represented in the American Federation of Labor, also in the Building Trades Department, by one general association of the pipe fitting industry, namely, the United Association of Plumbers, Gas Fitters, Steam Fitters and Steam Fitters' Helpers of the United States and Canada."

The following is the jurisdiction of work of the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada.

1. All piping, valves, Building Information Modeling (BIM), computerized global positioning systems, computer aided drafting and/or hand detail drawing for plumbing, water, waste, floor drains, drain grates, supply, leader, soil pipe, grease traps,

sewage and vent lines, as well as all pipe bursting and pipe lining.

2. All piping for water filters, water softeners, water meters and the setting of same.

3. All cold, hot and circulating water lines, piping for house pumps, cellar drainers, ejectors, house tanks, pressure tanks, swimming pools, ornamental pools, display fountains, drinking fountains, aquariums, plumbing fixtures and appliances, and the handling and setting of the above mentioned equipment.

4. All water services from mains to buildings, including water meters and water meter foundations.

5. All water mains from whatever source, including branches and fire hydrants, etc.

6. All down spouts, drainage areas, soil pipes, catch basins, manholes, drains, gravel basins, storm water sewers, septic tanks, cesspools, water storage tanks, gray water, rainwater and reclaimable water collection of every type and description used for plumbing and pipefitting systems, etc.

7. All liquid soap piping, liquid soap tanks, soap valves, and equipment in bath and washrooms, shower stalls, etc.

8. All bathroom, toilet room and shower room accessories, i.e. as towel racks, paper holders, glass shelves, hooks, mirrors, cabinets, etc.

9. All lawn sprinkler work, including piping, fittings, and lawn sprinkler heads.

10. All sheet lead and copper lining for X-ray rooms, fountains, swimming pools or shower stalls, tanks or vats for all purposes and for roof flashings in connection with the pipe fitting industry.

11. All fire stand pipes, fire pumps, pressure and storage tanks, valves, hose racks, fire hose, cabinets and accessories, and all piping for sprinkler work of every description.

12. All block tin coils, carbonic gas piping for soda fountains and bars, etc.

13. All piping for railing work and racks of every description, whether screwed or welded.

14. All piping for pneumatic vacuum cleaning systems of every description.

15. All piping for hydraulic, vacuum, pneumatic, air, water, steam, oil, or gas, used in connection with railway cars, railway motor cars, and railway locomotives.

16. All marine piping, and all piping used in connection with ship building and ship yards.

17. All power plant piping of every description.

18. The handling, assembling, and erecting of all economizers, super-heaters, regardless of the mode or method of making joints, hangers, and erection of same.

19. All internal and external piping on boilers, heaters, tanks and evaporators, water legs, water backs and water grates, boiler compound equipment, etc.

20. All soot blowers and soot collecting piping systems.

21. The setting, erecting, and piping for all smoke consuming and smoke washing and regulating devices.

22. The setting, erecting and piping of instruments, measuring devices, thermostatic controls, gauge

boards, and other controls used in connection with power, heating, refrigerating, air conditioning, manufacturing, mining, and industrial work.

23. The setting and erecting of all boiler feeders, water heaters, filters, water softeners, purifiers, condensate equipment, pumps, condensers, coolers, and all piping for same in power houses, distributing and boosting stations, refrigeration, bottling, distilling, and brewing plants, heating, ventilating and air-conditioning systems.

24. All piping for artificial gases, natural gases, and holders and equipment for same, chemicals, minerals and by-products and refining of same, for any and all purposes, as well as all radon piping and all methane recovery systems, and all cryogenic Magnetic Resonance Imaging (MRI) quenching vents.

25. The setting and erecting of all underfeed stokers, fuel burners, and piping, including gas, oil, power fuel, hot and cold air piping, and all accessories and parts of burners and stokers, etc.

26. All ash collecting and conveyor piping systems, including all air washing and dust collecting piping and equipment, accessories and appurtenances and regulating devices, etc.

27. The setting and erection of all oil heaters, oil coolers, storage and distribution tanks, transfer pumps, and mixing devices, and piping thereto of every description.

28. The setting, erecting and piping of all cooling units, pumps, reclaiming systems, and appurtenances, in connection with transformers, and piping to switches of every description.

29. All fire extinguishing systems and piping, valves, Building Information Modeling (BIM), computerized global positioning systems, and computer aided drafting and/or hand detail drawing, whether by water, steam, gas, or chemical, fire alarm piping, Very Early Smoke Detection Apparatus (VESDA) systems, Aircurity air sampler systems, and control tubing, etc.

30. All piping for sterilizing, chemical treatment, deodorizing, and all cleaning systems of every description, and laundries for all purposes.

31. All piping for oil or gasoline tanks, gravity and pressure lubricating and greasing systems, air and hydraulic lifts, etc.

32. All piping for power or heating purposes, either by water, air, steam, gas, oil, chemicals, geothermal, solar or any other method.

33. All piping, setting and hanging of all units and fixtures for air-conditioning, cooling, heating, rooftop units, refrigerating, ice making, humidifying, dehumidifying and dehydrating by any method, including but not limited to Variable Air Volume (VAV) systems, chilled beam coils, Variable Refrigerant Volume (VRV) systems, and Variable Refrigerant Flow (VRF) systems, and the charging, testing, and servicing of all work after completion.

34. All pneumatic tube work, and all piping for carrying systems by vacuum, compressed air, steam, water, or any other method.

35. All piping to stoves, fire grates, blast and heating furnaces, ovens, driers, heaters, oil burners, stokers, and boilers and cooking utensils, etc. of every description.

36. All piping in connection with central distributing filtration treatment stations, boosting stations, waste and sewage disposal plants, central chlorination and chemical treatment work, and all underground supply lines to cooling wells, suction basins, filter basins, settling basins, and aeration basins.

37. All process piping, valves, Building Information Modeling (BIM), computerized global positioning systems, computer aided drafting and/or hand detail drawing for refining, manufacturing, industrial, and shipping purposes of every character and description.

38. All air piping of every description.

39. All temporary piping of every description in connection with building and construction work, excavating and underground construction.

40. The laying out of piping systems by any mode or method (including computerized global positioning systems) and cutting of all holes, chases and channels, the setting and erection of bolts, helical piers, inserts, stands, brackets, supports, sleeves, thimbles, hangers (including all seismic hangers), conduit and boxes, used in connection with the pipe fitting industry.

41. The handling and setting of boilers, setting of fronts, setting of soot blowers, and attaching of all boiler trimmings.

42. All pipe transportation lines for gas, oil, gasoline, fluids and liquids, water aqueducts, water lines, and booster stations of every description.

43. All acetylene and arc welding, brazing, lead burning, soldered and wiped joints, caulked joints, expanded joints, rolled joints, or any other mode or method of making joints in connection with the pipe fitting industry.

44. Laying out (including any computerized global positioning systems used in the fabrication process), cutting, bending and fabricating of all pipe work of every description, by whatever mode or method.

45. All methods of stress relieving and induction heating of all pipe joints made by every mode or method.

46. The assembling and erecting of tanks, used for mechanical, manufacturing or industrial purposes, to be assembled with bolts, packed or welded joints.

47. The handling and using of all tools and equipment that may be necessary for the erection, installation, maintenance, and servicing of all work and materials used in the pipe fitting industry.

48. The operation, maintenance, repairing, servicing, inspecting, testing, including but not limited to nondestructive examination, commissioning, renovation, upgrading, modernization, replacement and dismantling of all work installed by journeymen members of the United Association, as well as the installation of all pipe tracer wire.

49. All piping for cataracts, cascades (i.e. artificial water falls), make-up water fountain, captured waters, water towers, cooling towers, and spray ponds used for industrial, manufacturing, commercial, or for any other purposes.

50. Piping herein specified means pipe made from metals, tile, glass, rubber, plastics, wood, or any other kind of material, or product manufactured into pipe, usable in the pipe fitting industry, regardless of size or shapes.

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