

CONSTITUTION and BY-LAWS

of the

INTERNATIONAL UNION OF ELEVATOR CONSTRUCTORS

Organized July 18, 1901

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PREAMBLE

Whereas, we, the Elevator Constructors from the various cities in the United States and Canada, in Convention assembled, having seen the necessity for a more thorough organization of our trade, and that a common interest and sympathy with each other urges us to demand the immediate consolidation of the various unions, believing by thus doing we create a common bond of brotherhood/sisterhood, having for its object the improvement of our moral, social and industrial standing, we have therefore formed this International Union.

CONSTITUTION

ARTICLE I

Object and Powers of the International Union

SECTION 1. This body shall be known as "**The International Union of Elevator Constructors.**"

SEC. 2. The purposes and objectives of this International Union are: To implement the exercise of the natural right of workers to organize that they may more securely work with dignity; to enable its members to participate actively in self-government; to unite into one International Union all workers eligible for membership, regardless of religion, race, creed, color, national origin, age, or sex; to secure improved wages, hours, working conditions and other economic advantages for the members through collective bargaining, through advancement of our standing in the community and in the labor movement, and through other lawful methods; to provide educational advancement and training for officers, employees and members; to safeguard and promote the principle of free collective bargaining, the rights of workers, and the security and welfare of all the people by political, educational and other community activity; to protect and strengthen our democratic institutions and preserve and perpetuate the cherished traditions of democracy; to protect and preserve the Union as an institution and in the performance of its legal and contractual obligations.

SEC. 3. The powers of this body shall be legislative, executive, judicial and final.

SEC. 4. All legislative powers shall be reserved to this International Union, duly convened in session, and shall extend in every case of legislation, not reserved, to subordinate locals.

SEC. 5. The judicial powers of this body, when not in session, shall be vested in a majority of the General Executive Board.

ARTICLE II

Convention

SECTION 1. A quorum for the transaction of business shall consist of a majority of the delegates attending the Convention.

SEC. 2. The officers of this International Union, as represented by the General President, Assistant General President, General Secretary-Treasurer and ten (10) Vice Presidents, together with all full-time representatives appointed by the General President, shall as a duty of their office and position be a delegate and shall have all privileges and rights of a delegate at all Conventions of the International Union, with the sole exception that they shall not vote in the selection of officers and any other vote they may cast shall be the vote of a single member. All such officers, Regional Directors and Organizers are eligible for election as a delegate from their local union and, in the event so elected, may, as all other secret ballot elected delegates, vote in the election of officers. The expenses of all officers of the International Union, together with all full-time representatives appointed by the General President, shall be paid by the International Union.

SEC. 2(a). All delegates to the Convention shall be elected by secret ballot. Nomination of delegates shall be held by a local union at least thirty (30) 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 and alternates to a Convention shall be nominated at the meeting, (2) the notice shall also state the date, time and place of the secret ballot election of delegates and alternates to the Convention, and (3) the notice should state that, if a run-off election is necessary, then said run-off election will be held at (i.e. the date, time and place of the run-off shall be so stated). The credentials of delegates and alternates elected shall be filed at the International Office at least ninety (90) days prior to the date on which the Convention shall be held.

SEC. 2(b). A local union shall have the option of providing in its Local Union Constitution and By-Laws that one of the duties of specific local union officer(s) who are elected in a secret ballot election shall also include serving as a delegate to the International Union of Elevator Constructors Convention for his/her local union. The office(s) for which this option is provided shall be clearly defined in the Local Constitution and By-Laws.

SEC. 2(c). Each local union, at the time of election, shall elect a minimum of two alternates to serve in case of disability, resignation, or unavailability for any reason of the regularly elected delegate or delegates. Elected alternate(s) shall have many of the same rights and privileges as elected delegate(s), they are to be seated in a designated area and afforded the right to attend committee meetings. They will not be afforded voice or voting privileges in their capacity as alternate(s), but their attendance is a means to educate, learn and inform.

SEC. 2(d). Where a local union has two or more delegates to be elected, the candidates receiving the highest number of votes shall be declared elected. The candidate or candidates receiving the next highest vote to the delegate or delegates shall be declared as an alternate or alternates.

SEC. 2(e). To be eligible for nomination and election as a Convention delegate, a member must have been a member in good standing in the local union in which he/she is to be nominated for a period of two (2) years prior to nominations.

SEC. 3. Representation:

Locals having 100 members or less, 2 delegates.

Locals having over 100 members and up to 300, 4 delegates.

Locals having over 300 members and up to 500, 5 delegates.

Locals having over 500 members and up to 800, 6 delegates.

Locals having from 800 members to 1600 members, 7 delegates.

NO LOCAL SHALL BE ENTITLED TO MORE THAN SEVEN (7) DELEGATES.

The Voting Strength of locals is ONE VOTE FOR EVERY TEN (10) MEMBERS OR MAJOR FRACTION THEREOF.

The method to be applied on a ROLL CALL VOTE shall be the following:

The delegates present shall cast the vote of their respective membership, as prescribed above. In the event of a local union not desiring to send its full quota of delegates, any delegate sent by the local may cast the number of votes to which his/her local is entitled to as prescribed in the Constitution.

The voting strength of local unions, measured by the number of active members, shall be determined as of a date selected by the General Secretary-Treasurer at least thirty (30) days but not more than sixty (60) days prior to the Convention.

The order of calling of the roll shall be determined by placing a number for each local union in a hat and each local union shall select a number and the numbers drawn shall establish the order of calling the roll. The order of calling the roll shall apply to all matters for which a roll call vote is called for.

SEC. 4. All locals shall send a minimum of one (1) delegate to the International Convention held every five (5) years and the expenses incurred shall be borne by the local.

SEC. 5. Each delegate shall produce credentials, properly signed by the President and Recording Secretary, having the seal of the local he/she was elected to represent attached.

SEC. 6. No delegates shall be entitled to a seat in the Convention unless all assessments and IUEC dues on his/her local have been paid in full sixty (60) days preceding the Convention.

SEC. 7. A local shall not be entitled to representation at the Conventions of the International Union unless the said local has been granted an International Charter six (6) months previous to the Convention.

SEC. 8. The regular Conventions of this International Union shall be held each five (5) years at approximately the time as the delegates in regular session may determine. At the first annual spring meeting after the Convention, the General Executive Board shall decide upon the exact time and place of the regular Convention. Local unions may petition the Executive Board and request their city be considered for the Convention; however, the Executive Board shall make the final decision. The General Executive Board shall have the power to call a Special Convention when deemed necessary.

SEC. 9. All resolutions, petitions, and appeals shall be received by the General Secretary-Treasurer of the International ninety (90) days immediately preceding the opening of the Convention. All resolutions shall have been approved by the local union submitting same and be submitted electronically via the IUEC website and printed, the seal of the local union must be affixed on each resolution and mailed to the International Office. The International will electronically distribute all resolutions thirty (30) days prior to the start of the Convention, one copy per local union upon written request.

SEC. 10. Proceedings shall be printed and distributed to local unions within the first year following the conclusion of the Convention.

SEC. 11. A \$6.00 per member per year assessment, established for the sole purpose of raising money to cover Convention expenses incurred, including activities held in conjunction with Convention, mutually arranged and designed by the General President and the hosting local, to prevent hosting local treasury from being seriously endangered.

The International shall assess all members based upon the total member count reported on each Local's January Monthly Report. Local unions shall be responsible for collecting Convention assessments and transmitting them to the IUEC on or before the 15th day of February. The International shall keep these assessments in a separate account to be known as "Convention Expenses Account."

ARTICLE III

Order of Business of the Convention

SECTION 1.

1. Call to order by General President.
2. Report of Committee on Credentials.
3. Announcement of members appointed to committees.
4. Communications, guest speakers and announcements throughout the Convention as called for by the General President.
5. Reports of officers.
6. Reports of committees to be made throughout Convention as called for by General President.
7. Before noon of the first day of business, the General President shall announce the names of those who have been nominated in accordance with Article IV Section 1(a), and the positions for which they are running. Prior to the afternoon break on the second day of business, opportunity shall be given for delegates to speak in support of the nominations and for the nominee to accept their nomination in the presence of the delegation. In the event that there are contested positions for which an election is necessary, the election shall be held on the afternoon of the second day of business.
8. Installation of officers.
9. Good of the organization.
10. Adjournment.

SEC. 2. The General President shall appoint the following Convention Committees:

1. Constitution and By-Laws.
2. Resolutions.
3. Pension and Health Benefits.
4. Rules.
5. Credentials.
6. Grievances and Appeals.
7. Organizing
8. Education.
9. And such other committees as he determines necessary, or the Convention may decide.

Each committee shall consider any resolutions or matters referred to that committee by the General President or the Convention.

SEC. 3. Resolutions pertaining purely and solely to Canadian matters may be referred by the Convention to the Canadian delegates for action. Resolutions so referred by the Convention shall be acted upon by majority vote of the Canadian delegates present and voting.

ARTICLE III (A)

Rules of Order for IUEC Convention

1. The Convention shall be called to order at 10:00 am. and remain in session until 12:30 p.m. Reassemble at 2:00 p.m. and continue in session until 5:00 p.m.

2. No resolutions [other than those submitted in accordance with Article II of the Constitution] will be accepted except upon approval of majority vote of the Convention. However, a Convention Committee or the General Executive Board may submit resolutions for Convention action at any time.

3. If a delegate while speaking be called to order he/she shall, at the request of the Chair, take his/her seat until the question of order is decided.

4. Should two (2) or more delegates rise to speak at the same time, the Chair shall decide who is entitled to the floor.

5. No delegate shall interrupt another in his/her remarks, except it be to call him/her to point of order.

6. A delegate shall not speak more than once on the same subject until all who wish to speak on the same subject have had an opportunity to do so.

7. A delegate shall not speak more than twice upon question unless permitted by a majority vote of the delegates.

8. No delegate shall be allowed to speak more than five (5) minutes on each question unless extended by majority vote of the delegates.

9. A motion shall not be open for discussion until it has been seconded and stated from the Chair.

10. At the request of five (5) delegates the mover of a motion shall be required to reduce it to writing.

11. A motion to lay on the table shall not be debatable except as provided by Robert's Rules of Order.

12. A motion to reconsider shall not be entertained unless made by a delegate who voted in the affirmative. A motion to reconsider must be made within forty-eight (48) hours after the vote was taken or before adjournment of the Convention whichever occurs first.

13. No motion or resolution shall be voted upon until the mover or introducer has had a chance to speak if he/she so desires.

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. 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 say no.

17. 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 show of hands or a division of the house. If a member moves immediately for 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.

18. If a division of the house is called, all those in favor of the question will rise and be counted and then be seated. Then, all those opposed will rise and be counted and then be seated. The result of the division of the house will then be announced to the Convention.

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

20. A roll call vote shall be held upon the demand of one-fourth (1/4) of the delegates present and in such case unit voting shall apply, as provided in Article II, Section 3 of the IUEC Constitution.

21. In the secret ballot election for the Vice Presidents, each delegate must cast his/her full voting strength for each of ten (10) candidates of his/her choice. A failure to do so shall invalidate all the votes of that delegate for any candidate. There shall be no bullet voting. One (1) of the ten (10) Vice Presidents elected shall be a member of a Canadian Local Union.

22. In the secret ballot election for rank-and-file representation on the Labor Committee, each delegate must cast his/her full voting strength for each of six (6) candidates of his/her choice. A failure to do so shall invalidate all the votes of that delegate for any candidate. There shall be no bullet voting.

23. In the secret ballot election for three (3) International Trustees, each delegate must cast his/her full voting strength for each of three (3) candidates of his/her choice. A failure to do so shall invalidate all the votes of that delegate for any candidate. There shall be no bullet voting.

24. The General President shall appoint an Election Committee of three (3) members, which shall have the responsibility to rule on questions that may arise pertaining to the conduct of elections at the Convention.

25. While the Convention is in session only duly accredited and seated delegates and the staff and representatives of the International Union may remain in the Convention area. Alternates shall be seated in a separate area apart from delegates.

26. At the discretion of the General President invited guests may be present to hear guest speakers.

27. These rules shall apply in all IUEC Conventions. A 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 a majority of those delegates present.

28. Robert's Rules of Order, Current Edition, shall be the guide on all matters not herein provided for.

ARTICLE IV

Nomination and Election at Convention

SECTION 1. The election of all International Officers and of the rank-and-file delegates to the Labor Committee shall be by secret ballot. Each delegate shall have the number of votes his/her local union is entitled to, as provided in Article II, Sec. 3, divided by the number of the Local's delegates.

SEC 1 (a). Any member seeking an elected position shall be a delegate to the Convention and shall submit a Notice of Nomination form provided by the General Secretary- Treasurer. A candidate must identify the position for which the candidate is nominated and submit letters of support from two (2) delegates to the Convention. The form and letters shall be submitted to the General Secretary-Treasurer's office no later than forty-five (45) days prior to the start of the Convention. Following the conclusion of nominations, a list of all candidates shall be sent to each local union. The nomination process will be completed at the Convention. All candidates must maintain eligibility requirements through the time of election. If a candidate wishes to withdraw from nomination, the candidate shall notify the General Secretary-Treasurer, in writing, prior to the start of the Convention and his/her name will not appear on the ballot. A candidate need not be present at the Convention at the time of nominations if prevented from being present by official business, accident, or sickness.

The General Secretary-Treasurer shall be responsible for the administration of the foregoing requirements and the resolution of any disputes relating to the nominations 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.

SEC 1(b). In the event a candidate cannot maintain their eligibility requirements or withdraws from nomination, leaving no nominee for a position, following the deadline for submission of Notice of Nomination but prior to the election, the Election Committee (or General Executive Board, if prior to the appointment of the Election Committee) shall immediately convene and provide for the re-opening of nominations for that office only.

Furthermore, if any other circumstances arise 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 (or General Executive Board, if prior to the appointment of the Election Committee) shall promptly convene and decide upon an appropriate course of action.

SEC. 2. No member shall be nominated for or be appointed to more than one (1) International Office. No Vice President shall concurrently serve as a Regional Director, Organizer, or other paid appointee of the General President. No Vice President shall concurrently serve as an employee of the Elevator Industry Work Preservation Fund, the National Elevator Industry Educational Program, or the Canadian Elevator Industry Educational Program.

SEC. 2(a). To be eligible for nominations for any International Office of this International Union, a member must be less than seventy (70) years of age, must be a delegate to the Convention, must be in good standing with his or her local union and have been a member of the I.U.E.C. for ten (10) years, working as a mechanic for more than five (5) years. One of the ten (10) Vice Presidents shall be a Canadian Vice President and only a Canadian who meets the other eligibility requirements of this Section shall be eligible for this Vice Presidency.

SEC. 3. At all elections, the presiding officer shall direct the General Secretary-Treasurer to

record the votes and the candidate receiving the highest number of votes shall be declared elected by the Chair.

SEC. 4. The nomination and election of candidates shall be conducted in the following order General President, Assistant General President, General Secretary-Treasurer, all ten (10) Vice Presidents, to be elected at large, all three (3) International Trustees and then all six (6) of the rank-and-file delegates to the Labor Committee, to be elected at large.

ARTICLE V

General Officers and General Executive Board

SECTION 1. The officers of this International Union shall consist of the General President (who shall also be the chief organizer), Assistant General President, General Secretary-Treasurer and ten (10) Vice Presidents, all of whom shall have an equal vote, all of whom shall be known as the General Executive Board and shall also be organizers. There shall also be three (3) International Trustees elected from the delegates present at the Convention, one of whom shall be a Canadian, who may not concurrently hold any other International Office and who may not concurrently serve as Regional Directors, Organizers, other paid appointees of the General President, or employees of the Elevator Industry Work Preservation Fund, NEIEP or CEIEP. Their duties are to examine the books and records of the IUEC at least twice a year, including expenses paid to all International Officers, Regional Directors and Organizers and report their findings to the General Executive Board at the Board's meeting, as well as to report to the Convention. The office of the International Trustee shall not be a paid position, but their actual and reasonable expenses incurred in performing their duties shall be borne by the International.

SEC. 2. The duties of the organizers shall be to institute new locals and take an active part in extending the influence of this International Union.

SEC. 3. Effective April 1, 2012, the salaries of the General President, Assistant General President and the General Secretary-Treasurer will be adjusted. The new salary for the General President shall be the average salary of the following International or National Trade Unions General Presidents: Boilermakers (BBF), Bricklayers (BAC), Insulators (HFIA), International Brotherhood of Electrical Workers (IBEW), Ironworkers (BSOIW), Laborers (LIUNA), Painters (PAT), Plasterers and Cement Workers (OPCM), Plumbers & Pipe Fitters (PPF), Roofers (RWAW) and Sheet Metal Workers (SMA). The highest and lowest salaries will be dropped before calculating. The IUEC Executive Board will decide the source used for determining the wages for General Presidents from above stated Unions. The IUEC Assistant General President and General Secretary-Treasurer salaries shall be 93% of the salary established for the General President of the International Union of Elevator Constructors, none of the IUEC General Officers are subject to any decrease in salary when new salaries are calculated. The Salary of the General President, the Assistant General President, and the General Secretary-Treasurer shall be increased on January 1 of each year, based on the average percentage increase of the four (4) highest paid local unions of the IUEC, excluding Local 1 and all Canadian local unions, and registered at the International Office.

SEC. 3(a) A newly elected or newly appointed General Officer shall be entitled to payment

or reimbursement of actual and reasonable expenses for lodging, meals and other miscellaneous travel expenses incurred while performing his/her duties at the International Office, for transportation (including airlines, trains, taxis, automobile rentals, fuel related to automobile rentals, parking, tolls, and mileage expenses) between the International Office and his/her home at the time of election or appointment, for a reasonable period (not to exceed six (6) months) from the date of election or appointment until he/she locates and occupies a new permanent residence in the vicinity of the International Office. The newly elected or appointed General Officer in question will also be entitled to actual and reasonable moving expenses incurred in moving his/her household to the new permanent residence in the vicinity of the International Office. There shall be no other housing allowance or subsidy.

SEC. 4. Any officer of this International Union whose local may be suspended or expelled for any reason whatsoever, the officer in question shall be permitted to deposit his/her card in the nearest local of this International Union to his/her locality, this action making it entirely legal for him/her to continue in his/her official capacity until his/her successor has been elected. The officer in question shall pay all dues and assessments to the local receiving his/her card.

In the event any officer shall cease to be a member of the International Union, for any reason his/her office shall automatically become vacant. If a vacancy shall occur in the General Executive Board, other than a vacancy in the office of General President, his/her successor shall be appointed by the General President, subject to confirmation by the General Executive Board and shall serve until the next Convention.

In the event of a vacancy in the office of General President by reason of death, resignation or otherwise, the Assistant General President shall assume the duties of the General President until a successor is elected by the General Executive Board as hereafter provided. Within five (5) days after the vacancy occurs the Assistant General President shall call the remaining members of the General Executive Board to a special meeting to be held not later than ten (10) days after the vacancy occurs to elect by majority roll call vote a successor to the office of General President for the remainder of the unexpired term. The General Executive Board shall remain in session until they elect a successor.

SEC. 5. All officers shall serve until their successors are elected and installed.

SEC. 6. The terms of all appointees shall end at the close of the regular International Convention. Appointees and officers whose terms have expired shall, however, have thirty (30) days to terminate their business with the International.

SEC. 7. All International Officers and others appointed by the General President for special assignments shall be paid actual and reasonable transportation, hotel, meals, and incidental expenses incurred in carrying out the functions of such office or duty. In addition, the International Union shall pay other such reasonable and necessary expenses as are incurred and/or authorized by the General President, the Assistant General President, or the General Secretary-Treasurer in furtherance of the purposes and objectives of this International Union.

SEC. 8. Automobiles shall be furnished for the personal use of the General President, the Assistant General President, and the General Secretary-Treasurer in carrying out their official duties, said automobiles to be purchased or leased in the name of the International Union of Elevator Constructors. All expenses incidental to the operation of the organization automobiles shall be borne by the International Union.

SEC. 9. The General President shall appoint all Regional Directors who shall serve at his discretion. To be eligible for appointment as a Regional Director, a member must be in good

standing with his/her local union and have been a member of the International Union for ten (10) years, working as a mechanic for at least five (5) years. In addition to the duties assigned them by the General President or this Constitution, Regional Directors shall have the duty of acting as organizers for the unorganized employees in the elevator industry or related industries.

SEC. 10. The weekly salaries of the Regional Directors appointed by the General President in the various districts throughout the United States and Canada shall be increased on January 1 of each year and will be sixty-seven percent (67%) of the General President's salary. In addition, they shall be paid actual and reasonable transportation, hotel, meals, and incidental expenses incurred in carrying out their duties.

SEC. 11. The General President shall appoint all other Organizers, who shall serve at his discretion.

SEC. 12. The weekly salaries of the Organizers appointed by the General President in the various districts throughout the United States and Canada shall be increased on January 1 of each year and will be fifty-three percent (53%) of the General President's salary. In addition, they shall be paid actual and reasonable transportation, hotel, meals, and incidental expenses incurred in carrying out their duties.

SEC. 13. Each Organizer will do all in his/her power to attend at least one (1) union meeting per calendar year in each of his/her Locals and give a report at each meeting. The Organizer will then allow proper time for questions at the conclusion of each report.

SEC. 14. Within six (6) months of when first elected or appointed to the office, all General Officers shall be required to obtain and maintain a permanent residence in the vicinity of the International Office.

ARTICLE V(A)

General President Emeritus Assistant General President Emeritus General Secretary-Treasurer Emeritus

The General President Emeritus, Assistant General President Emeritus and General Secretary-Treasurer Emeritus, each of whom shall be a person that has left their General Officer's position after obtaining Honorary Retired Status with the IUEC shall be an honorary non-voting delegate to the IUEC General Conventions with actual and reasonable transportation, hotel, meals, and incidental expenses to be paid by the IUEC.

ARTICLE VI

Duties of General Officers

SECTION 1. It shall be the duty of the General President of the International Union to preside at all Conventions and meetings of the International Union and General Executive Board and conduct the same according to parliamentary rules of order, and should the meeting be equally divided on any question he/she shall cast the deciding vote. He/she shall appoint all committees for the Convention and may appoint some or all of the committee members prior to the Convention who will be informed of their committee assignment at least thirty (30) days prior to the start of

the Convention. The General President may direct that subcommittees of Convention committees begin their assignment prior to the Convention. He/she shall issue all orders on the General Secretary-Treasurer for payment of such monies as are legally authorized and shall render all decisions on matters referred to him/her. He/she shall have the power to remove any officer neglecting the duties of his/her office, and of appointing his/her successor, provided such removal be approved by the General Executive Board. In case of emergency, he/she shall have the authority to call a meeting of the General Executive Board. The General President or a representative appointed by him/her shall be present at the signing of local agreements as an advisor to the local union, if deemed necessary by the General President. The General President shall attend the Executive Sessions of the AFL-CIO and Building Trades Department when the interests of this International Union are involved.

The General President or a committee appointed by him/her shall be empowered to audit the books of all local unions affiliated with the International Union of Elevator Constructors. He/she shall have the supervision of all representatives appointed by him/her in the various districts throughout the United States and Canada

The General President, subject to the approval of the General Executive Board shall have the authority to enter into project agreements or similar agreements where he/she determines the entering into of such an agreement is in the best interest of this International Union.

The General President shall have the authority to utilize any IUEC member (active, honorary, or retired) as an advisor, consultant, or witness in any matter in which their experience and/or knowledge would be helpful to the IUEC with payment of wages, benefits and actual expenses incurred.

Where any grievance or other difficulty arises which appears to require the assistance of the General Office, the General Secretary-Treasurer shall be notified, who shall, in turn, notify the General President. The General President may in his/her discretion appoint a special representative from the membership of the International who shall investigate and attempt to resolve the grievance or other matter to the satisfaction of the local involved and the International Union. The special representative shall, upon his/her return or before, make a written report to the General President.

Whenever the General President determines there are too many local unions in any locality or that a merger would be in the best interests of the IUEC, locally or at large, he/she shall have the power to order local unions to merge and to enforce the consolidation of local unions in such territory into one or more local unions, provided that the consolidation receives the sanction of the General Executive Board.

Whenever a local union is merged, its Charter, all books, documents, property, and funds shall be returned to the General President or his/her representative. The property shall become the property of the IUEC provided, however, that it shall be returned to the local union or other subordinate body after the merger is effective or the local union is otherwise reinstated or reorganized.

The General President shall take any action necessary to carry out the objectives of the IUEC, to protect the membership of the IUEC and to foster unionism, including, but not limited to, rendering decisions on disputes between local unions or between local unions and members or between members. All such decisions of the General President shall be subject to appeal to the General Executive Board but must be complied with pending appeal.

SEC. 2. The Assistant General President shall be located in the International Office and shall, in the absence of the General President, exercise the powers and duties of the General President

other than the power to fill vacancies in office or make appointments.

The Assistant General President shall perform all duties assigned to him by the General President and, when so directed by the General President, shall act as his/her legal representative. As a member of the General Executive Board, he/she shall have a right to vote. In addition to such duties and rights, he/she shall have the same constitutional privileges and emoluments as the General Secretary-Treasurer.

SEC. 3. The General Secretary-Treasurer shall keep a true record of the proceedings of the International Union and meetings of the General Executive Board. He/she shall keep a correct list of all the Presidents and Secretaries of the locals. (This book to be kept in the office of the General Secretary-Treasurer, who shall furnish a duplicate of same to the General President.) He/she shall attend to all correspondence and answer all communications, etc., which may not require the consideration of the General President and General Executive Board. He/she shall ensure that each local electronically submit a monthly report to the International once a month. He/she shall collect all monies due the International Union. He/she shall cause to be inserted in the Journal at the end of each fiscal year a report on all monies received from each local during that year. He/she shall be furnished with a special seal, which shall be affixed to all official documents issued from his/her office and have the same properly indexed. He/she shall keep a correct and thorough record of the condition of trade in the different localities at various periods, and of wages paid. He/she shall keep a record and a correct description of parties working in conflict with the rules and usages of the International Union and the locals thereof; of all fines imposed on members, and why such fines were imposed.

SEC. 4. He/she shall procure a roll and regularly register opposite the name and number of every member initiated by the various locals their actual standing, and through him/her only shall the transfer of members to other localities be arranged. He/she shall furnish to the recording secretary of each local the names and personal description of expelled members who have worked against the local upon the receipt of such names from the local.

The General Secretary-Treasurer shall at least six (6) months prior to the date of each Convention send out to each local union a Convention Call setting the time, date and place of the Convention and instructing local unions to elect delegates to the Convention.

He/she shall deposit all monies in the name of the International Union, in such bank(s) as may be designated by the General Executive Board.

Once each year the books and records of the General Secretary-Treasurer, in his/her possession and control, shall be audited by a certified public accountant and, after such audit, a copy thereof shall be submitted to the General Executive Board at its semi-annual meetings for approval. The General Secretary-Treasurer shall make a financial report to the Convention.

SEC. 5. All money orders or checks issued through the office of the General Secretary-Treasurer on any bank accounts maintained by the International Union must be counter signed by the General President or the Assistant General President or the General Secretary-Treasurer. In expending and disbursing the funds and property of this International Union, the General President, Assistant General President and General Secretary-Treasurer are empowered to make such expenditures as are in accordance with established practices, customs and procedures of the International Union and such expenditures as are in their judgment reasonably related to furthering the objectives and purposes of the International Union, its local unions, and the membership. The General President, Assistant General President and General Secretary-Treasurer shall be bonded in the amount required by existing Federal or State laws, with the same to be approved by the General

Executive Board, and the cost to be paid by the International Union.

ARTICLE VII

Duties of General Executive Board

SECTION 1. The General Executive Board shall have full discretionary power over all things connected with this International Union between Conventions including, but not limited to, the power and authority to promulgate such policies and render such decisions that are, in its judgment, in the best interest of this International Union, its affiliated local unions and their members. Such policies and decisions shall be binding as law unless reversed by the Convention.

SEC. 2. All correspondence for the General Executive Board shall come through the hands of the General Secretary-Treasurer.

SEC. 3. The General Executive Board shall decide all points of law, all grievances and appeals submitted to it in legal form, and their decisions shall be binding as law unless reversed by the Convention. The General Secretary-Treasurer shall immediately furnish all locals a copy of all decisions rendered by the General Executive Board.

SEC. 4. It shall be the duty of the General Executive Board to examine the bonds for the General Secretary-Treasurer and hold them in trust for the International Union and perform such other duties as are provided in this Constitution.

SEC. 5. At any time, the General Executive Board deems a law or amendment necessary to govern the International Union, it may recommend a clause to the locals to be voted on and should a two thirds vote of the members voting support the recommendation, it shall become a law.

SEC. 6. The General Executive Board shall meet at least annually in such cities in which they, in their wisdom deem the most good can be accomplished in taking up the matters that may come up relative to International affairs.

The expenses of all members of the Board shall be paid by the International Union in accordance with the provisions of Article V, Section 7.

They shall convene at such time and place as the General President shall name.

SEC. 7. The General Executive Board is authorized and empowered to approve a training program and to adopt and promulgate any rules, regulations or policies for local unions and their members it may deem advisable to effectuate the purposes and objectives of the training program so approved including but not limited to the acquisition and retention of membership of trainees making application for membership in the International Union.

SEC. 8. The General Executive Board may establish new classes of membership in the IUEC for any type of worker performing work for an employer which is allied to or related in any manner to the elevator industry. The General Executive Board is also authorized to establish divisions in existing local unions or establish new local unions for such employees. The General Executive Board, notwithstanding any other provisions of this Constitution, is authorized to promulgate all rules and regulations for the operation of such new local unions or new divisions of local unions and new classes of membership, including initiation fees, dues, and membership requirements.

ARTICLE VIII

Regional Directors

Regional Directors in the United States shall hold an area and/or regional meeting of local unions at least once a year. In Canada, the Regional Director shall hold a Canadian Caucus meeting yearly. Every year he/she shall hold a Canadian Caucus meeting of all Canadian local unions and actions duly adopted at this meeting shall be binding on all Canadian local unions. Actions taken at any meeting held pursuant to this Article shall be of no force and effect if they are inconsistent with or in conflict with Master Agreement, Canadian Agreements, or the International Union Constitution.

Each Regional Director will do all in his/her power to attend at least one (1) union meeting per calendar year in each of his/her locals and give a report at each meeting. The Regional Director will then allow proper time for questions at the conclusion of each report.

ARTICLE IX

Revenue

SECTION 1. Except as provided in Section 6 below, the revenue for the support of the International Union shall be derived from IUEC dues of \$70.00 per month for each active member on the roll effective January 1, 2022, payable to the IUEC through the Secretary of the Local, on or before the 15th day of each month for the preceding month (active members consist of good standing and suspended members). Except in the case of a member who fully pays IUEC dues through check off, local unions shall be responsible for collecting IUEC dues and transmitting them to the IUEC, on or before the 15th day of each month for the preceding month. All money shall be payable to the IUEC by post office money order or bank draft.

Beginning January 1, 2023, IUEC dues shall be increased by two dollars (\$2.00) per month per member and on each succeeding January 1, IUEC dues shall be increased two dollars (\$2.00) per month per member until the next Convention of the IUEC. The General Executive Board is authorized to waive the payment of any annual increase in IUEC dues, prior to it becoming effective, until the following year(s) if the General Executive Board determines that the increase is not necessary for that year(s).

SEC. 1(a) IUEC dues may be paid by members in one of the following ways:

(i) By payment to a member's local union, which shall then transmit that member's IUEC dues to the International on or before the 15th day of each month for the preceding month.

(ii) By dues checkoff for those members who have signed an Authorization for Check-Off of IUEC dues Form, by deduction from weekly wages to be transmitted by the member's employer to the IUEC, as described in the applicable Collective Bargaining Agreements. The local union shall maintain the Authorization for Dues Check-Off forms in its files and shall send a copy of the document to the International Union and the member's employer. In the event that a member who has elected dues check off does not work a sufficient amount to cover his dues obligation to the IUEC, the member shall pay to his local union for transmission to the IUEC all

dues that remain owed to the IUEC.

(iii)By other means which may be authorized by the General Executive Board in the future.

SEC. 1(b) Members who are out with illness, injury or disability for a minimum period of sixty (60) days shall upon request to the Secretary of the Local Union and approval from the General Secretary-Treasurer receive a minimum reduction of 50% in his/her IUEC dues; members who are out with illness, injury or disability for a minimum period of 180 (one hundred eighty) days shall upon request to the Secretary Treasurer of the Local Union and approval from the General Secretary-Treasurer receive a minimum reduction of 75% in his/her per-capita.

SEC. 2. An assessment of \$5.00 shall be paid by all active members in the event of the death of a good standing member or a probationary apprentice while on the job. The International will deliver the assessment amount to the family within one week of the death or as soon as possible. The name on file with the Funds office or the Probationary Death Benefit form will be used by the International to determine the beneficiary. The International shall assess all active members based upon the total member count of each Local on the day the death is determined to be an On-the-Job death by the International. Local Unions shall be responsible for collecting On-the-Job death assessments and transmitting them to the IUEC, on or before the 15th day of the following month.

SEC. 3. Effective July 1, 2017, the initiation fee of all members shall be one thousand dollars (\$1,000.00), to be raised effective January 1 annually in accordance with increases in the Consumer Price Index. The initiation fee of a newly organized local shall be determined by the General Executive Board. Two hundred and fifty dollars (\$250.00) shall be paid to the International Union on each member when admitted into a local union.

The General President shall have the authority to waive or reduce the amount of the initiation fee or take other action that he/she deems necessary, to aid in organizing the unorganized employees working in the elevator industry or in industries related to the elevator industry. When the initiation fee is reduced, the money paid to the IUEC by local unions will be reduced proportionately.

SEC. 4. Should a member of a newly organized local, whose initiation fee is less than the initiation fee required at the time by SEC. 3 above, desire to deposit his/her transfer card into a local that has been organized over six months, he/she shall pay the difference between the initiation fee paid by him/her and the regular initiation fee required by SEC 3. above then in effect. Should he/she be a member of said local union for a period of two years, he/she is then privileged to deposit his/her transfer card into any local union without paying the difference of initiation fees.

SEC. 5. Any local failing to meet its indebtedness to the International Union, either for IUEC dues or other financial obligations contained in this Article or other Articles of the IUEC Constitution for a period of three months, shall, upon the expiration of said period of time, stand suspended from all rights and privileges of this International Union.

SEC 6. Should the International negotiate a provision in the next Collective Bargaining Agreement(s) for check off of dues from members' paychecks, then the General Executive Board shall have the express authority between Conventions to develop and implement a new system of revenue for support of the International Union and/or its affiliated local unions , as well as a new system of dues collection in place of quarterly working cards, the latter of which is already authorized in Article XV, Sec. 5. Any such new system of revenue that may be adopted and implemented by the General Executive Board between Conventions shall not significantly increase the level of revenue collected by the International through IUEC dues currently provided for in

this Article. Should the delegates to the next General Convention approve any new such systems developed and implemented by the General Executive Board, then this Constitution and all relevant provisions affected by the change will be amended accordingly.

SEC. 7. The General Executive Board shall have the express authority between Conventions to establish a plan and or trust to provide death benefits that may result in more favorable tax treatment to the beneficiaries of good standing members and probationary apprentices in the event of their death while on the job. The death benefit provided by any such plan and or trust shall not be less than the amount of the death benefit determined in accordance with Section 2.

The plan or trust established by the General Executive Board shall be funded, in whole or in part, through the assessments described in Section 2 and or new death assessments authorized by the General Executive Board with such assessments to be used for the sole and exclusive purpose of providing such death benefits and for defraying the administrative costs of such plan and or trust.

In establishing a plan and or trust under this Section, the General Executive Board should take into consideration the timeliness of payment of any such benefit, the tax treatment of any such benefit and such other factors as the General Executive Board, in its discretion, deems relevant.

Should the delegates to the 2026 General Convention approve any new such plan and or trust developed and implemented by the General Executive Board, then this Constitution and all relevant provisions affected by the change will be amended accordingly.

ARTICLE X

Journal

SECTION 1. The Assistant General President shall cause to be issued from his/her office a monthly journal in magazine form. Said journal to be published, edited, and managed by him/her, under the direction of the General Executive Board.

A directory of all the officers and local unions shall be kept up to date and be placed on the International website.

SEC. 2. Each local shall elect/appoint a correspondent to the official Journal, from their active membership or Retirees, if they choose to serve, whose duty it shall be to correspond regularly once a month with the Assistant General President on such matters as submitted to him/her by members of his/her local and such other matters as he/she may deem of interest to the general membership.

SEC. 3. The subscription price of the Journal shall be eighteen dollars (\$18.00) per year.

The General Executive Board shall have the authority to periodically increase the eighteen dollars (\$18.00) subscription price if necessary to make the Journal self-sufficient, but not more than once a year.

ARTICLE XI

Work We Claim

The assembling of all elevator machinery, to wit: Hydraulic, steam, electric, belt, hand power or compressed air, also assembling and building escalators, traveling stairways or conveyances; the assembling of all cars complete; putting up of all guides, either of wood or iron; the setting of all tanks, whether pressure, open or pit tanks; the setting of all pumps (where pumps arrive on job in parts they are to be assembled by members of this Union); all electric work connected with car machinery and hoisting; all overhead work, either of wood or iron, and supports for same where required; setting of all templates; all automatic gates, hall indicators; all foundations, either of wood or iron, that would take the place of masonry; the assembling of all hydraulic parts in connection with elevators; all locking devices in connection with elevators; the boring, drilling and sinking of all plunger elevators; all link belt carriers; elevator machinery on theatre curtains, guides and rigging thereto, organ consoles, orchestra elevators and stage elevators complete; all air cushions, with the exception of those built of brick or those put together with hot rivets; the operating of all temporary cars, and all work in general pertaining to the erection and equipment of an elevator complete. The performance of any and all Repair, Maintenance, Adjusting, Contract Service, and/or On-Call classification of work.

ARTICLE XII

Supremacy of International Constitution and By-Laws

SECTION 1. Each and every affiliated local union and all officers, representatives, and members thereof, are obligated to recognize, observe, and be governed by the specific provisions and requirements of this Constitution, and by decisions, interpretations, and established policies of the duly elected officers of this International Union to make effective and operative the provisions, requirements, purpose, and intent of this Constitution.

SEC. 2. Each Chartered and affiliated local union shall adopt a Constitution and By-Laws. Chartered and affiliated local unions shall not adopt or make operative any local rules, regulations, or policies which in any way conflict with the provisions, requirements, purpose, or intent of this Constitution, or with the provisions of our Standard Agreement, or the Canadian Agreements. New, revised, or amended local Constitutions and By-Laws or new, revised, or amended provisions thereof, under consideration by local unions, shall be submitted to the International for perusal and approval prior to their becoming effective.

SEC. 3. No local union, presently covered by all the provisions of the Standard Agreement or the Canadian Agreements, shall enter into any agreements with any employer or association of employers without first submitting the same to the International Union for its approval as to form and substance or without prior authorization of the International Union to enter into an agreement or agreements with any employer or association of employers. This Section shall not apply to Traveling Expense Agreement.

ARTICLE XIII

Requirements of Applicants and Oath of Obligation

SECTION 1. The minimum age for applicants for admission into the International Union of Elevator Constructors shall be eighteen (18) years, and all applicants shall have at least a high school education or its equivalent.

Each local union shall provide an application for membership to all new inexperienced employees employed in its jurisdiction after ninety (90) days of employment with a signatory company. Within thirty (30) days after an employee completes his/her probationary period, the local union shall offer membership to the employee.

In the event the General President determines that a local union is not complying with the foregoing paragraph he/she or his/her representative shall have the authority to accept the application of such employee, give said employee the oath of obligation, make arrangements for payment of initiation fee and dues and place the employee on the rolls of a local union.

SEC. 2. No local shall admit an applicant for membership without first submitting his/her application to the General Secretary-Treasurer for investigation.

It shall be the duty of the General Secretary-Treasurer to make every endeavor to investigate all new applications for membership to locals which may be submitted to him/her, and forward same to the Secretary of local making inquiry, immediately.

As part of the application process for membership, a probationary apprentice may be required to attend all local union meetings during his/her probationary period, in order to become familiar with our union and the responsibilities of union membership, except when working out of town, attending NEIEP or CEIEP classes or for family reasons at the discretion of the local. At such meetings, he/she will have no voice or vote and otherwise no rights or privileges insofar as the International and local union are concerned.

SEC. 3. Every candidate for membership should be given a copy of the International Constitution and By-Laws before being accepted into the organization.

SEC. 4. Every applicant for admission to membership shall take the following **Oath of Obligation**:

I, _____, solemnly and sincerely pledge my word and honor never to reveal any of the business of this Local to anyone not known to me to be a member, with the exception of a Probationary Apprentice. I further pledge myself to assist and support the officers of this organization, to obey the Constitution and By-Laws of both the International and the Local Union, and I pledge to do all in my power to promote the interests of the trade and assist all members of this Local. I further pledge to obey all directives and orders of the International and the Local Union and never commit any act or offense that will bring the International, the Local Union, or the Trade Union Movement in general, into disrepute. I further pledge that at the present time I am not a member of the Communist organization or belong to any other subversive organization or group that believes in or teaches the overthrow of the United States Government and/or the Government of Canada by force, or by illegal or unconstitutional methods. I further promise to pay all dues and assessments as levied by the International or the Local Union. Failure on my part to keep this Oath of Obligation subjects me to penalty as provided by the Constitutions of the International and Local Union.

ARTICLE XIV

Suspension and Expulsion of Members for Nonpayment of Dues

SECTION 1. Members of all local unions must obtain their quarterly working card on or before the first day of the first month of each quarter. Member's owing over three (3) months but less than six (6) months of dues and/or assessments shall lose their good standing and also shall be automatically suspended from membership without notice of any kind. Suspended members are denied all rights and privileges of membership including attending union meetings.

SEC. 1(a). Suspended member's return to good standing and their suspension is lifted upon payment of all back dues at the current rate and assessments through the current month as well as a fifty-dollar (\$50.00) reinstatement fee.

SEC. 1(b). Suspended members who fail to pay their dues and assessments for five (5) months shall be so notified by the financial secretary of their local union by registered or certified mail at the member's expense.

SEC. 2. Any member in arrears in dues or assessments for a period of six (6) months or more shall stand expelled and, may be reinitiated in a local union if directed or authorized by the General Secretary-Treasurer of the IUEC and the local union to which he/she has applied for readmission approves his/her application for readmission. In order to be reinitiated the expelled member must pay the expelling local union six (6) months back dues at the current rate and all monies legally owed to the expelling local at the time of expulsion and new initiation fee to the local union in which the applicant desires to be reinitiated.

SEC. 3. International and local assessments, disciplinary fines or assessments are payable before dues. However, no union security clause shall be enforced or given effect because of the failure to pay International and local assessments or disciplinary assessments pursuant to this provision.

ARTICLE XV

Working Cards

SECTION 1. Members of all local unions must have in their possession a paid up current quarterly International working card. International working cards will be issued by the General Secretary-Treasurer to the local unions. The financial secretary of each local union shall issue an International working card on or before the first day of the first month of each quarter. International working cards shall only be issued to good standing members. The International working card issued by all local unions shall include a minimum of the member's name, the member's home local union number, the member's International number, the amount in dues and assessments paid by the member and the member's classification. Where a local union collects fees from a nonmember, Local working cards may be issued.

SEC. 2. Members who intend to perform work outside of their local union's jurisdiction shall notify their Business Representative prior to leaving the jurisdiction. Any member sent to perform work not located within the jurisdictional radius of a local union shall notify the Regional Director in charge of that particular territory within twenty-four (24) hours of arriving on the job. If this work is located within the jurisdictional radius of a local, the member shall report to the Business Manager,

President, or Secretary of that local before starting work. Failure to comply will result in charges being filed with the General Secretary-Treasurer against the offending member.

SEC. 3. A member sent by an employer to perform work in another local's jurisdiction shall be permitted to do so, **provided** the member has a paid-up current quarterly working card, complies with the Local Constitution and By-Laws in said jurisdiction and also complies with all International laws and **provided** the employer hires all available members of the local needed to perform the work. Failure to comply will result in charges being filed with the General Secretary-Treasurer against the offending member.

SEC. 4. Members sent by an employer from one city to another shall have board, lodging, and transportation paid and shall receive the wage rate of the locality in which the work is performed or the wage rate of his/her home local, whichever is greater. Should an employer cease to pay board and lodging, members shall return to their home local.

SEC. 5. The General Secretary-Treasurer shall investigate alternate methods of dues collection to use in place of quarterly working cards and report his/her findings to the General Executive Board, who shall have the authority to implement a new system or retain the present system. If a new system is instituted the General Executive Board has the authority to modify the IUEC Constitution and procedures to carry out implementation of the new system.

ARTICLE XV(A)

Transfer

SECTION 1. Members leaving their local's jurisdiction, upon the presentation of a paid-up current quarterly working card to the Business Representative or Financial Secretary, must be allowed to work provided work is available.

SEC. 2. Should a local union where such members are working desire and request that they transfer to that local union, the local union requesting the members to transfer shall give each such member a letter of assurance that the member will be accepted, provided there is no indebtedness or charges owed his/her home local union. A copy of this letter will be sent to the home local union and to the General Secretary-Treasurer of the IUEC who shall determine if there is any reason the transfer should not be made. If the General Secretary-Treasurer determines that the transfer should be made he/she shall notify the local unions involved, the member and the Regional Director involved that the member has been transferred and that such member shall start paying dues and assessments to the requesting local union on or before the next quarter. No member shall be permitted to transfer unless he or she has been a member of his/her home local for at least six (6) months, except as stated in Article XV(A) Section 4.

SEC. 3. Members desiring or requesting to transfer their membership into another local union must, before requesting the transfer from their local union, obtain written assurance from the local union into which transfer is desired that they will accept him/her. The local union into which a transient is requesting to transfer into shall have the authority to decide if a transient may permanently transfer into the local. Temporary transients will still be allowed if the need is available, depending on employment and local needs. A member denied such written assurance by a local union may appeal the denial to the General President. A member working in open territory may not transfer into another local union without the approval of the Regional Director in whose territory the member is

working.

SEC. 4. Whenever a Regional Director determines, because of a member's residence or location of employment, that the member's membership should be transferred to another local union, the Regional Director shall have authority to implement the transfer by notifying the member, the local unions involved and the General Secretary-Treasurer. The directive of the Regional Director shall be complied with within thirty (30) days. The member and/or the local unions involved shall have the right to appeal the Regional Director's decision to the General President, but the Regional Director's decision must be complied with pending appeal.

ARTICLE XV(B)

Withdrawal Card

SECTION 1. A member may make written application for withdrawal. Before a written request can be filed for withdrawal, the member must be current with all dues and assessments with his/her home local from which they wish to apply for a withdrawal. The written request for a withdrawal must be filed with the member's local union and the General Secretary-Treasurer and must detail the reasons for the request. If both the local union and the General Secretary-Treasurer approve the request, the member's membership status shall be changed to withdrawn. Withdrawn status shall not be issued if there is any indebtedness, charges are pending against the member or if the member intends to continue performing Elevator Constructor Mechanic or Apprentice/Helper work as described in the Standard Agreement or Canadian Agreements. Should the former member obtaining withdrawn status desire to rejoin any local union of the International Union, upon approval of the General Secretary-Treasurer, he/she may be readmitted if the local union to which he/she has applied for readmission approves his/her application for readmission, there are no charges pending against him/her, he/she pays the full initiation fee as specified in the International Constitution, and he/she commences paying dues and assessments.

Where the withdrawn member commits any act detrimental to the International Union of Elevator Constructors or its local unions or violates any section of the International Union Constitution, he/she shall be disciplined in accordance with Article XVIII, and the discipline may also include cancellation of his/her withdrawn status.

SEC. 2. A member drafted into military service, or a voluntary enlistee, upon written request to the International Union, through his/her local union, may be placed on an inactive status and thereby be exempt from local dues and International dues. Upon completion of his/her military service and within ninety (90) days from the date of release from active duty, upon presenting his/her release papers to his/her local union and securing the current working card, he/she shall be reinstated to active membership at no cost to him/her or the local union.

Failure of the member to secure the current working card and request reinstatement within the ninety (90) days from the date of release from active duty will subject him/her to a new initiation fee.

ARTICLE XVI

Honorary Membership

A member who is no longer working at any branch of the elevator industry and is receiving benefits from the National Elevator Industry Pension Fund/Canadian Elevator Pension Plan shall automatically be granted "retiree" status, effective on the date when he/she begins receiving benefits from the Pension Fund. The local to whom the retiree has been attached shall take the retiree's name from its active roll on the last day of the month prior to the date when he/she begins receiving benefits from the Pension Fund and no further IUEC dues payments will be required to be paid to the International by the local on the retiree. Such retirees shall have no rights or privileges insofar as this International is concerned and shall not be permitted any voice or vote in the affairs of the local union or International, nor shall they be permitted to be candidates for, appointed to or hold any office or position in such local union or the International, except as provided for under Article X, Sec.2.

Whenever it is desired by any local union to issue an honorary membership card to a retiree, a request shall be made by the local union to the International and an honorary membership card shall be issued only on the approval of the International.

While such honorary members shall have no rights or privileges insofar as this International is concerned and shall not be permitted any vote in the affairs of the local union or International, and shall not be permitted to be candidates for, appointed to or hold any office or position in such local union or the International, except as provided for under Article X, Sec. 2. Honorary members may attend and have a voice in local union meetings and may participate as a beneficial member in sick, health and welfare and death benefit programs of the local union, or any other type of local union benefits.

When a member meets the requirements for honorary membership, the International Union shall furnish a permanent wallet size honorary card and a certificate suitable for framing.

Should a retiree or honorary member desire to rejoin a local union, he/she may rejoin any local union of the International Union, upon approval of the General Secretary-Treasurer, he/she may be readmitted if the local union to which he/she has applied for readmission approves his/her application for readmission, there are no charges pending against him/her, he/she pays the full initiation fee as specified in the International Constitution, and he/she commences paying dues and assessments. Should a retiree or honorary member return to collective bargaining work; their status shall automatically be changed to Withdrawn. Should a retiree or honorary member return to work in the Elevator Industry excluding Inspectors and NEIEP / CEIEP Instructors; their status may be changed to Withdrawn at the request of the local.

SEC. 2. A member who has attained Retired Honorary status shall automatically be granted Deceased Honorary status, effective on the date the International is notified of their death. Upon the death of a good standing member the member may be granted Deceased Honorary status. Whenever it is desired by any local union to issue Deceased Honorary status to a good standing member who has died, a request shall be made by the local union to the International and the status change shall be effective only on the approval of the International. When a member meets the requirements for Deceased Honorary status, the International Union shall furnish a permanent wallet size honorary card and a certificate suitable for framing.

ARTICLE XVII

Withdrawal, Dissolution, Suspension and Trusteeship of Locals

SECTION 1. No Chartered and affiliated local union shall be dissolved or withdraw from affiliation with this International Union so long as seven or more members in good standing of said local union vote to retain their Local Union Charter, and their affiliation with the International Union.

SEC. 2. 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 this International Union, three (3) months' notice in writing shall be given to the General Secretary-Treasurer, and no vote shall be taken on either question by the members of any affiliated local union except at a special called meeting, after due notice in writing to the General Secretary-Treasurer, and each and every member, designating the time and place of meeting and the purpose for which the special meeting is called.

SEC. 3. Whenever a Chartered and affiliated local union by vote of its members at a special called meeting in the manner specified in Section 2 of Article XVII of this Constitution decides to dissolve or withdraw from affiliation with this International Union, the officers of said local union shall immediately notify the General Secretary-Treasurer of the action taken and a record of the vote cast by members to dissolve or withdraw from affiliation, and the officers, representatives, and members of said local union shall comply with all requirements of Section 4, Article XVII of this Constitution before being relieved of responsibility and liability to this International Union.

SEC. 4. In any and all cases where Chartered and affiliated local unions by vote of their members dissolve or withdraw from affiliation with this International Union and in any and all cases where Local Union Charters are forfeited, suspended, or revoked in accordance with this Constitution, the Charter, seal, books, records, papers, monies and all other property of every description of said local unions shall revert to and become the property of the International Union of Elevator Constructors and all of same shall be immediately delivered to the office of the General Secretary-Treasurer of this International Union with a proper accounting of all of the financial and other affairs of the local unions involved and no officer, representative or member of said local union shall be relieved of responsibility and liability to this International Union until all of the requirements specified herein have been complied with.

Any distribution or attempt at distribution to its members or to anyone else, except the International Union of Elevator Constructors, of the Charter, seal, books, records, papers, monies and all other property of every description by the officers or members of said local unions, either prior to, in anticipation of, or subsequent to, after action has been taken to dissolve, withdraw suspend or revoke the Local Union Charter shall be illegal, and no title to said Charter, seal, books, records, papers, monies and all other property of every description shall pass thereby from the International Union of Elevator Constructors.

SEC. 5. Any good standing member of a local union which dissolves or withdraws from affiliation with the International Union or whose Charter has been suspended or revoked and who is not directly involved or a party to the controversy or cause leading up to the dissolution, withdrawal, suspension or revoking of Local Union Charter and who signifies his/her willingness and intention to be governed by and comply with all of the provisions of this Constitution may make application to the General Secretary-Treasurer to either transfer his/her membership or to be reinstated or reinitiated as a member at large of this International Union.

SEC. 6. If the General President, or General Executive Board, has or receives information which leads them to believe that any of the officers of a local union are dishonest or incompetent, or that such local union is not being conducted in accordance with the Constitution or laws of the International Union, or that the local union or any of the officers have been guilty of violating the terms of this Constitution or a lawful order of the General Executive Board, or whenever, in the judgment of the General President, or the General Executive Board, a local union or its officers conduct the affairs of such local union contrary to the interest of the membership of such organization or for the purpose of correcting corruption or financial malpractice or restoring democratic procedure or assuring the performance of collective bargaining agreements of the International Union so as to constitute a threat to the welfare of any of the said organizations, the General President, or General Executive Board may appoint a trustee to take over full control and management of all the affairs of such local union, or may suspend or revoke the Charter of a local union. The Charter of a local union may be suspended or revoked, or the local union placed in trusteeship only after written notice, charges, and a hearing, provided, however, that in the case of a trusteeship where an emergency situation exists within a local union, a trustee may be appointed prior to the hearing but the hearing shall then commence within thirty (30) days and a decision made within sixty (60) days after the appointment of such trustee.

SEC. 6(a). A hearing officer or officers may be appointed by the General President or General Executive Board to conduct a hearing on trusteeship, or revocation or suspension of a Charter. The hearing officer or officers shall make his/her or their recommendations in writing to the General President or General Executive Board after which the General President or General Executive Board shall render its decision. Where the decision is made by the General President, an appeal may be taken to the General Executive Board by the local union and from the General Executive Board to the next Convention. Where the decision is by the General Executive Board, an appeal may be taken to the next Convention.

SEC. 6(b). A trustee appointed by the General President or General Executive Board is authorized and empowered to take full charge of the affairs of the local union to remove any or all officers, either elected or appointed, and appoint temporary officers during the tenure of his/her trusteeship; to cause all monies or other assets of the local union to be placed in his/her name as trustee. A trustee so appointed shall report from time to time on the affairs and transactions of the local union to the General President, and the acts of such trustee shall be subject to the supervision of the General President and General Executive Board. The General President or General Executive Board may remove trustees at any time, with or without cause, and may appoint successor trustees, who shall have the same power and authority as herein provided.

SEC. 6(c). Any officers of the local union who are removed by the trustee shall immediately turn over all monies, books, records, papers, and other properties of the local union after proper receipt for the same, and such removed officers shall take whatever action is necessary to change over to the trustees any bank and savings accounts and other assets of the local union or other subordinate body. The trustee shall pay all outstanding debts properly proved if the funds of the local union are sufficient to pay the same. If the funds are not sufficient to settle such debts, he/she shall attempt to settle the most worthy claims, subject to the advice and supervision of the General President. In the event the Charter of the local union is revoked by order of the General Executive Board, all the funds and other properties, together with books, records and papers of such local union shall be forwarded to the General Secretary-Treasurer, which funds shall be transferred to the general funds of the International. When self-government is restored to a local in trusteeship, the trustee shall direct a

nomination and election of the officers for said local union at such time and place as the trustee may designate, any other provisions of this Constitution or the Local Union's rules and By-Laws to the contrary notwithstanding, and if after such election the trustee determines that the election has been properly conducted, then the trusteeship shall terminate, and he/she shall turn all remaining funds, property and other assets, including all books, records and papers, to the appropriate officers of the local union.

SEC. 6(d). The revocation of the Charter of a Local Union for any purpose whatsoever shall terminate the membership of the members of the local union whose Charter was revoked in the International Union. The International Union after a full and fair hearing may make a determination of those members of the local not directly involved or responsible for the controversy and may permit those members to preserve their continuity of membership and transfer their membership to another local union.

ARTICLE XVIII

Charges, Trials, Discipline and Penalties

SECTION 1. After charges and trial on any of the following punishable offenses, in the manner and by the procedure set forth in other sections of this Constitution, a member, if convicted, may be either fined, suspended or expelled. The following are the punishable offenses:

(1) failure or refusal to adhere to or comply with the provisions of the Constitution, By-Laws, and policies of the International Union.

(2) failure or refusal to adhere to or comply with the decisions and orders of the officers of the International Union;

(3) failure or refusal to adhere to the provisions of the Constitution and By-Laws of a local union;

(4) failure or refusal to abide by the provisions of the Standard Agreement, or the Canadian Agreements, or the provisions of any local union agreement, such as a local union traveling expense agreement;

(5) failure or refusal to support the jurisdictional claims of the International Union and/or of local unions;

(6) failure or refusal to abide by an oath taken at the time an individual becomes a member of the International Union or a local union;

(7) misappropriation or embezzlement of funds or property belonging to the International Union and/or to a local union;

(8) engaging in conduct unbecoming to a member of the International Union and of any local union;

(9) wronging a member or officer of the IUEC by any act or acts causing economic harm;

(10) physical abuse of officers or members in or near the meeting hall;

(11) fostering secession or withdrawal of a local union from the International Union;

(12) any action which brings or tends to bring the International Union and/or local unions into disrepute with any bodies with which the International Union and/or local unions are affiliated,

or which may bring or tend to bring the International Union and/or local unions into disrepute with the public or into conflict with the law;

(13) employment contrary to or in violation of the terms and conditions of the Standard Agreement, or the Canadian Agreements, or of any local union agreement, such as a local union traveling expense agreement.

(14) the divulging of any of the secrets of the International Union and/or local union;

(15) the engaging in conduct which unduly impedes the work of any officer of the International Union and/or local unions;

(16) adjustors and specialists must sign in with the local they are working in the first day on the job, the last day on the job and on a day each month designated by the local and produce pay checks stubs upon request of the local.

(17) failure to promptly notify the local union of an employer's violation of the Agreement or of any instructions by the employer to the member to violate the Agreement.

SEC. 2. It shall become the duty of any member or any officer of this Union who may come to have either direct or indirect knowledge of the commission of any of the above punishable offenses by a member, to prefer charges against such member in writing.

SEC. 3. All charges must be made in writing, stating with reasonable certainty what punishable offense under Section 1 of this Article was committed, the facts of the offense charged and the time and place of the occurrence. When the punishable offense involves other sections of this Constitution or of a Local Union Constitution or sections of the Standard Agreement, or the Canadian Agreements or Local Union Agreement, the appropriate sections of those Constitutions or agreements should be specifically referred to in the charges. The charges must be signed by the member making the charge and filed with the recording secretary. The member under charge must be considered innocent until found guilty. He/she can sit in meetings and remain in benefits until convicted of the charges provided, however, if he/she files a timely appeal, he/she can sit in meetings and remain in benefits until the General Executive Board renders a decision on his/her appeal.

SEC. 4. When the charges have been made, the entire matter shall be referred to the Local Executive Board and the Executive Board will try, hear, and determine said charges. The Executive Board shall set a trial date and the accused shall be served with a copy of the charges by the Secretary of the Executive Board or Business Manager personally or by registered or certified mail, together with a notice of hearing, specifying the date and place where the accused shall be required to stand trial.

The hearing date shall not be less than ten (10) calendar days from the date that the charges and notice of hearing are served upon the accused. When a member is served with charges and notice of hearing by registered mail, the letter shall be addressed to the last known address as shown on the books of the local union and this shall constitute due notice to the accused member. The member may appear in person and with witnesses to answer the charges preferred against him/her. He/she may select a member of the local union as counsel to represent him/her in the presentation of his/her defense. Only fellow union members can serve as his/her counsel at the hearing. He/she shall be entitled at all times during the conduct of the hearing, either personally or through his/her representative, to be present and be heard and shall be entitled to face the person filing such charges and any other witnesses testifying in support of the charges for the purpose of cross-examination of such charging party or other witnesses either personally or through his/her representative.

SEC. 5. After the close of the hearing, the Executive Board shall come to a decision. The Executive Board shall, orally or in writing, report its decision and the penalty, if any, to the local

union at the membership meeting. At least seven (7) calendar days prior to the meeting at which the Executive Board is to report its decision, the accused shall be notified in writing by the Secretary of the Executive Board that the decision will be presented. If the accused is found guilty by the Executive Board, the President shall pronounce the sentence and the President shall see that the sentence is enforced. If the member, after receiving the required notice, fails to appear at this meeting, the President shall still pronounce the sentence and the member shall be notified in writing of the Executive Board's decision.

If an accused is found guilty by the Executive Board, it shall have discretionary power to impose any penalty it finds appropriate including, but not limited to a reprimand, a fine not to exceed \$5,000, expulsion, suspension of membership, removal from office, denial to hold any office permanently or for a fixed period, or command to do or perform or refrain from doing or performing specified acts or any combination of the above.

If the Executive Board imposes a suspension, the member shall be denied all rights and privileges of membership including voice or vote in the local union. If the Executive Board imposes expulsion, it shall set an assessment, which is not to exceed \$5,000, against the member to indicate upon what terms the expelled member may again become a member in good standing. In addition, the local may provide at the time the penalty is imposed that if more than 6 months elapse between the expulsion order and the date the member tender's payment of the assessment, an application for reinstatement, and the proper initiation fees, that the member shall be liable for up to six (6) months back dues and assessments, payable at the current rate. The member must pay the back dues and assessments and the local's initiation fee before becoming a member of the International Union and the local union. Such re-initiation shall become effective only with the approval of the local into which admission is sought.

SEC. 6. If the accused member fails to appear after service of the charges and notice of hearing are made upon him/her the Local Executive Board may proceed to hearing and a determination of the charges and report its decision to the local union.

SEC. 7. Where charges are filed with the General Secretary-Treasurer charging that a member failed to report or committed any other punishable offense within the jurisdiction of a local union of which he/she is not a member, the General President, Assistant General President and General Secretary-Treasurer shall have the discretionary authority to make a determination whether the charges should be tried by the member's own local union or by the local union in whose jurisdiction the alleged offense was committed. Where the International Officers direct that the home local union hear the charges and the member is found guilty and fined, the fine so levied is to be paid to the International Union of Elevator Constructors who will forward the same to the local union in whose jurisdiction the offense was committed.

Where a member is alleged to have committed an offense in open territory, the complaint or charges shall be filed with the General Secretary-Treasurer. The General President, Assistant General President and the General Secretary-Treasurer shall jointly have the discretionary authority to make a determination as to whether the charges should be tried by the member's own local union or by another local union. Where the member is found guilty and fined, the fine so levied is to be paid to the International Union of Elevator Constructors and the International officers shall determine the local union to whom the fine is to be forwarded.

SEC. 8. Whenever a majority of the members of the Executive Board of a local union are disqualified for any reason from acting on charges preferred against a member or charges against an officer for removal, then upon notice or application, the General President may appoint a hearing

officer or officers from the membership of the International Union to act in the place and stead of the Local Executive Board. The hearing officer or officers so appointed shall act in the place of the Local Executive Board and shall render a decision to the local union in accordance with Section 5.

SEC. 9. When any member, officer or local union of the International Union commits any violation of the provisions of this Constitution or policies or decisions of the International Union or any officer thereof, written charges may be filed against any accused member, officer, or local union with the General Executive Board. The General Executive Board shall have original jurisdiction to conduct the trial on such charges.

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 Sections 3, 4 and 5 of this Article. 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 a local union dealing with the same subject matter as the charges over which the General Executive Board has acquired original jurisdiction under this section, the jurisdiction of such local union shall forthwith terminate, and the local union shall, upon request of the General Executive Board, transfer all of its records and papers pertaining to the case to the General Executive Board.

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

The General Executive Board may, in its discretion as is set forth in Section 8, 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 International Union of Elevator Constructors. 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.

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 any penalty provided in Article XVIII, Section 5.

SEC. 10. The member, officer or local found guilty of such charges has a right to an appeal to the following Convention, as provided for in Section 13.

SEC. 11. An appeal may be lodged with the General Executive Board by any member found guilty after trial in accordance with Section 4, by any officer removed under Article VI, and by any local union from a decision or order of suspension or expulsion made by the General President, provided such appeal is made on or before thirty (30) days of the act complained of. The General Executive Board shall thereafter render a decision on any such appeal.

SEC. 12. On all appeals made to the General Executive Board, the General Executive Board shall have the 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. The General Executive Board may, in its discretion, on any appeal consider simply the record before it or it may consider additional oral or written evidence presented by the parties. The General Executive Board, in its discretion, may, on any appeal or any matter that comes before it, appoint or delegate one or more of its members to conduct a hearing on such matter or appeal. The member or members conducting such hearing shall make findings and recommendations to the full membership of the General Executive Board for its final vote and decision. On any appeal that comes before the General Executive Board, the member or local union involved may

select a member as counsel, to represent the member or local union. Only members of the International Union can serve as counsel before the General Executive Board.

SEC. 13. Any decision made by the General Executive Board shall be subject to appeal to the following Convention, if so desired, provided such appeal is made 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 decisions, 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. Payment of any/all fines shall be made by the member at the time he/she files a Convention appeal.

SEC. 14. Every officer, member, or local union of the International shall exhaust all remedies of appeal as provided by this Constitution before instituting any legal proceedings of any kind against the International or any local union.

SEC. 15. This Article shall apply insofar as it is lawful under United States and Canadian Laws and in the event any part of this Article is unlawful, the General Executive Board shall take action in accordance with Article XXVII.

ARTICLE XIX

Payment of Local Benefits

Whenever a Chartered and affiliated local union establishes and operates any local plan to provide sick, out-of-work, or death benefits or relief for the members thereof, said Chartered and affiliated local unions assume full responsibility for the operation and likewise full liability for the payment of all financial obligations in accordance with the established rules and regulations governing said local benefit or relief plan and likewise in accordance with the laws of their respective states or territories, it being distinctly understood that this International Union is in no way financially or otherwise connected or involved, or in any way responsible or liable for the payment of any claims or judgements filed or rendered against Chartered and affiliated local unions in connection with said local sick, out-of- work, or death benefit or other local benefit or relief plans.

ARTICLE XX

International Union Responsibility for Local Union Actions

The International Union shall not be responsible for any actions, activities, statements, or omissions of any of its local unions or their representatives unless the same are expressly authorized or directed by the General President or General Executive Board of the International Union. Efforts of International Union Officers and Representatives to mediate and conciliate differences between the local union or employer while a strike or work stoppage is in progress shall not be considered as International Union authorization, approval or ratification of the local union or its representatives.

Only Officers of the International Union are authorized to be agents for service of legal process. Regional Directors or officers and employees of local unions are not authorized to be agents of the International Union for service of process under any circumstances.

ARTICLE XXI

Oath of Obligation for General Officers

Each Officer of this International, after being duly elected at the General Convention of the International Union of Elevator Constructors, shall in the presence of the delegates of the Convention, take the following pledge or oath of obligation:

In the presence of the delegates of the International Union of Elevator Constructors here assembled in Convention, I (state name) do hereby certify that I am familiar with the provisions and requirements of the Constitution and the General Laws of the International Union of Elevator Constructors 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 General Laws of this International and that, in the performance of my official duties, I will require all members to comply fully with their duties and obligations and I 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, records and other property of the International which may be in my possession at the close of my official term all in accordance with this pledge and obligation.

ARTICLE XXII

Oath of Obligation for All Representatives Appointed by the General President

All representatives appointed by the General President shall be required to take the following Oath of Obligation, for the period of their employment, to be administered by the General President at the time he designates:

I (state name), having been appointed as (state official appointment) do hereby certify that I am familiar with the provisions and requirements of the Constitution and General Laws of the International Union of Elevator Constructors and I do hereby pledge and obligate myself during the period of my appointment by the General President of the International to perform the duties and obligations of the office to which I have been appointed and to the extent specified and intended by the Constitution and General Laws of the International, and that I will fully carry out such orders and directives made by the General President during my term as intended by the Constitution 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; that I will deliver to the General President all books, papers, monies records and other property of the International which may be in my possession at the close or at the termination of my appointment, all in accordance with this pledge and obligation taken.

ARTICLE XXIII

Oath of Obligation for Officers of Local Unions

An officer duly elected by the membership of any local union of this International Union or appointed in accordance with provisions of a Local Union's Constitution and By-Laws shall take the following Oath of Obligation before assuming the duties of his/her office:

I (state name) in the presence of the members of the Local Union of, in addition to the pledge of honor and oath of obligation taken as a member, do further pledge and promise upon my honor that I am familiar with the provisions and requirements of the Constitution of the International Union of Elevator Constructors and the Constitution of the Local and that I do hereby pledge and obligate myself that I will, to the best of my ability, perform the duties and obligations of the office to which I have been duly elected during my official term as laid down in the Constitution and the General Laws of the International Union of Elevator Constructors and the Constitution of the Local, and the laws and usages of the Local and the International Union until my successor is duly elected and installed; I will faithfully attend all meetings of the Local Union unless prevented by sickness or other causes beyond my control; and I will sacredly regard, protect and preserve and deliver to my successor in office all books, papers, monies records and other properties of this Local which may be in my possession at the close of my official term. Should the Local Union's Charter lapse or cease to function, I will convey and deliver all such books, papers, monies records and other properties of this Local Union to the officer legally authorized to receive the same under the Constitution of the International Union of Elevator Constructors. I further pledge that all my official acts while holding this position shall be just and honorable and work for the success of the International and this Local Union and the triumph of its principles.

This Oath of Obligation shall be administered by (a) any International Officer; (b) Regional Director; or (c) by any officer of the Local or any member of the Local so designated by the Local Executive Board.

ARTICLE XXIV

Officers and Employees Pension Plan

Pursuant to action taken at the 20th General Convention of the International Union of Elevator Constructors, the General Executive Board was authorized and directed to establish a retirement and pension plan covering all full-time elective officers, namely, the General President, Assistant General President, and General Secretary-Treasurer, and all full-time employees working for the International and appointed by the General President, and all office employees of the International working in the General Headquarters.

The General Executive Board was further directed to employ an actuary and counsel to aid and assist in the drafting of a retirement and pension plan and to have same approved by the Bureau of Internal Revenue to the end that it shall be legally, financially, and actuarially sound.

This retirement and pension plan shall pay such retirement and pension benefits that are paid to the officers and office employees of other International organizations of the AFL CIO, provided that with respect to IUEC General Officers and all full-time employees appointed by the General

President the future service contributions of the International Union shall not exceed an amount that will pay retirement and pension benefits that are in excess of 65% of the current salary at the time of retirement.

The retirement and pension plan shall be approved by the General Executive Board of this International Union and placed in effect not later than January 1, 1962.

ARTICLE XXV

Delegates Elected as Part of Labor Committee

Six (6) rank-and-file delegates who are not International Officers shall be elected from and by the delegates present at the Convention to sit in as part of the Union's Labor Committee with full rights and privileges to speak their minds at the meetings with the Employers' Labor Committee to negotiate a new five (5) year Standard Agreement. Salaries and expenses of the six (6) delegates to be borne by the International Union for the duration of all meetings until a new Standard Agreement is drawn up.

The voting members of the Labor Committee shall be the General President, the General Secretary-Treasurer, the Assistant General President, and the six (6) Labor Committee members. The contract must be approved by a majority vote of the Committee.

Before the International Officers and the Labor Committee make any final national agreement with NEBA, ECA or other national employer or group of employers, they will submit the tentative agreement(s) back to the delegates to the immediately preceding General Convention for their ratification. While such ratification will be required, the International Officers and Labor Committee will have the power and discretion to call any strike against any employer or employers without any vote by the delegates and without regard to ratification, and to extend any agreement(s) in effect while the ratification process is ongoing and to direct that member keep working during that process. Voting will be held at a national ratification meeting, the date and place of which shall be determined by the International Officers. Voting shall be by non-weighted roll call vote. Each local will be entitled to the same number of votes on each agreement as the number of delegates the local was entitled to bring to the preceding Convention, and each delegate shall have only one (1) vote. However, in the event of a local union not desiring to send its full quota of delegates, any delegate sent by the local may cast the number of votes to which his/her local is entitled to, as outlined in Article II, Sec.3.

Decisions as to how many of its delegates a local union sends to the ratification meeting will be left to the discretion of the local union. If a local intends to send its full quota of delegates, and a delegate is unable to attend the ratification meeting, the local may send an alternate elected either prior or subsequent to the previous Convention. A copy of the negotiated agreement(s) on which the delegates will vote, with all changes underlined, will be sent to all locals prior to the ratification meeting to allow the local union delegates to prepare. After the vote is counted, a list of the locals and their votes on the tentative agreement(s) will be forwarded to each local union. The National ratification meeting will have written minutes and be produced and available each day to the delegates. The National ratification meeting will have written proceedings that will be made available to each local upon completion of the ratification vote.

The contract shall be ratified as defined in Article XXV, by majority vote.

All changes made to existing agreements must be ratified by the delegates to the previous

Convention, not to include side agreements or letters of understanding between IUEC General President and IUEC Signatory employers.

ARTICLE XXVI

General Laws

1. All locals shall observe the first Monday in September as labor's holiday (Labor Day).
2. The regular workday shall not exceed eight hours, except where specifically provided otherwise within the current NEBA, ECA and/or other labor working agreements.
3. Weekly payment of wages in all cases shall be adopted.
4. No strike benefits shall be paid for strikes called by the Building Trades Council or strikes entered into by local unions to defend our jurisdictional grant unless they shall have been ordered out on strike by the International Union.
5. It shall be the duty of the General Secretary-Treasurer to notify the General Executive Board of any proposed action, and such action shall not be taken unless authorized by a majority of the same.
6. It shall be the responsibility of all locals to have an authorized officer submit a monthly report electronically by the 15th day of the following month to the General Secretary-Treasurer. The report shall include the condition of trade in his/her locality, the number of members out of work, deaths, withdrawals, new members initiated, members transferred and deposited, members suspended, members fined, members expelled and all information in general pertaining to the welfare of his/her local. A summary of this report to be inserted in the official journal.
7. Members of this International Union in one city will refuse to work for a company which refuses to employ the members of this International Union where a local is established.
8. The General Executive Board shall do all in its power to discourage strikes and adopt such means as will tend to bring about an amicable understanding between the locals and their employers.
9. We desire a fixed minimum scale of wages throughout the United States and Canada, and for all workers at our trade.
10. A local union cannot close its books to prohibit a person from becoming a member unless the local union has made application to the General Executive Board of the International Union and the General Executive Board has, because of an unemployment problem or some other sufficient reason, authorized the local union to close its books. The books of the local shall thereafter remain closed for the period of time and under such conditions as are approved by the General Executive Board.
11. It is mandatory that every local union of the International Union of Elevator Constructors have a minimum monthly dues structure equal to twice their hourly rate of pay. In addition, local unions shall be responsible for collecting IUEC dues not paid through checkoff and IUEC assessments for transmission to the IUEC. Where a local union is required by General Law 15 to have a full time Business Manager and the above minimum monthly dues rate does not produce sufficient revenue to pay the salary of said Business Manager and the normal operating expenses of the local union, the local union shall adopt a monthly rate of dues that produces sufficient revenue to pay the salary of said Business Manager and the normal operating expenses of the local union. In the event the local union for whatever reason fails to adopt an adequate monthly rate of dues,

the General Executive Board shall have the authority to establish the monthly rate of dues for said local union. Such action on the part of the General Executive Board shall be effective only until the next regular Convention of the International Union.

12. If a member is working in another local's jurisdiction, whose dues are higher than that of his/her local, for more than a single workday (workday meaning eight (8) consecutive work hours or less), he/she is to pay the difference in the union dues for a month to the Local in whose jurisdiction he/she is working.

13. All full-time local union officials are obliged to retire at the same age as other members of the International Union of Elevator Constructors.

14. No member of the International Union of Elevator Constructors shall be allowed to have a voice or vote or attend local union meetings or hold any local union office who is an officer or holds a managerial position with the employer, such as a superintendent, or who is an owner, contractor, subcontractor, jobber, partner, stockholder, directly or indirectly, holding more than ten percent of the stock or any member who, directly or indirectly, has more than ten percent financial interest in an employer.

15. All local unions of the International Union of Elevator Constructors shall place on the road one of their members as the full-time Principal Officer to be known as the Business Manager. For the services he/she renders in such office the Business Manager shall be paid by the local union he/she represents a minimum salary equal to the rate of a mechanic-in-charge for a forty-five (45) hour working week.

Local unions having a membership of three hundred (300) or more or a membership of two hundred seventy-five (275) or more with a physical territory exceeding three hundred (300) or more miles from the seat of the local must have one (1) Business Manager elected, and one (1) Business Representative full time who may be appointed or elected at the option of the local union. Local unions having a membership of seven hundred (700) or more, or a membership of six hundred (600) or more with a physical territory exceeding three hundred (300) or more miles from the seat of the local must have one (1) Business Manager elected and two (2) Business Representatives full time who may be appointed or elected at the option of the local union; and local unions having a membership of twelve hundred (1200) or more must have one (1) Business Manager elected and three (3) Business Representatives full time who may be appointed or elected at the option of the local union. The local Executive Board may appeal to the General Executive Board to reduce the number of business agents that a local maintains due to the financial strain that it is causing the local.

16. No member shall work for a lump sum, subcontract, or work at piece work for any builder, speculator, or contractor.

17. All local unions of the International Union of Elevator Constructors shall establish a local union strike, defense, or contingency fund that can be used during strikes/lockouts, for relief, defense, or other contingencies. The General Executive Board may suggest guidelines to local unions on the establishment of such funds.

18. All members working under covered employment during a work stoppage authorized by the International shall pay a minimum additional dues of twenty percent (20%) of the member's gross earnings payable at the end of each pay period (weekly). These additional dues shall fund a relief or strike fund to be used to provide financial aid to the local union and its members out of work due to the work stoppage. local unions having a relief, strike, defense, or similar fund as

provided in General Law 17, that can be used for the above-mentioned financial aid shall have the option of waiving the requirements of this General Law 18.

19. Upon request of a Regional Director or Business Manager/Representative to any member, said member shall produce his/her W-2 form(s) or T4(s) form in Canada or copy thereof and as many current pay stubs as the Regional Director or Business Manager/Representative may request.

20. No member shall be eligible to be nominated for office in any local union unless he/she is a member of the International Union of Elevator Constructors and the local union in good standing for at least a period of two (2) years immediately prior to the election.

21. The term of office for Business Managers and Business Representatives of local unions shall be three (3) years. This provision shall apply to any term of office which commences after the date of the 1981 Convention. The term of office for Business Managers and Business Representatives of the Canadian IUEC local unions may be up to a term of five (5) years. This provision shall apply to any term of office which commences after the date of the 2011 Convention.

22. The General President shall have the authority to assign regional territory to a local union or local unions by ordering that their territorial jurisdiction be expanded.

23. The Business Manager of the local union is the principal officer of the local union and shall have control over the day-to-day operation and affairs of the local union.

24. Each local union shall have inserted into their Local Constitution and By-Laws that prior to starting any construction or modernization job, every member will be required to notify the business office of the location and start of that job.

25. Before entering into any and all negotiations to the CBA, negotiations must be approved and attended by the entire Labor Committee.

26. All Trust Agreements and any amendments to them that the IUEC is involved in are to be made readily available for the members to view on the secured IUEC website.

27. All resolutions that are voted and approved at the General Convention will be submitted to the appropriate Trustees for consideration within two (2) years of the date that the Convention adjourned. A list of all Convention approved resolutions that were considered will be made available to all locals after each meeting.

28. Local unions are compelled to report all incidents, including close calls, injuries and fatalities resulting from an on-the-job incident by notifying the Director of Safety and filing a report using the electronic Incident Reporting System. Reporting of such incidents must be done in a timely manner.

ARTICLE XXVII

Safety

SECTION 1. The General President shall appoint a Director of Safety to oversee safety, and who shall serve at his discretion. To be eligible for appointment as a Director of Safety, a member must be in good standing with his/her local union and have been a member of the International Union for ten (10) years, working as a mechanic for at least five (5) years. The General President may appoint an Assistant Director of Safety to assist the Director of Safety, and who shall serve at his discretion.

SEC. 2. Each local union will have a Safety Representative in place to resolve safety issues, attend and support safety meetings of the employer and local union. This will be an appointed

position and may be a full-time officer of the local. All expenses borne due to this appointment shall be paid by the local.

SEC. 2(a) All local unions will permanently establish an Area Safety Committee made up of local union and company representatives who will meet at minimum quarterly and provide minutes of that meeting to the Director of Safety.

SEC. 3. When a member enters any workplace where there is the potential that he/she may be exposed to workplace hazards, the member shall wear the Personal Protective Equipment (PPE) required by their employer's PPE policy or the minimum PPE requirements of the OSHA or CSA Standards if no employer PPE policy is in effect.

SEC 3(a). Members are required to report to the local union when they are placed on a Light Duty or Modified Work program due to an on-the-job incident and when they return to work.

SEC 3(b). Any member directing another person to perform unsafe work, or a member performing unsafe work, according to their company safety policy, the minimum OSHA Standards, or the OSH Act when there is no formal policy in place, may be disciplined in accordance with Article XXII Par 5 (e) of the Collective Bargaining Agreement and/or Article XXVI of The International Constitution & By-Laws.

ARTICLE XXVIII

Amending Constitution Between Conventions

SECTION 1. The Constitution and General Laws herein contained can be amended or altered at regular sessions of the Convention by a majority vote of the delegates present and voting. Between Conventions, 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 stead 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 reason of the 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.

SEC. 2. Between Conventions, if any provision of this Constitution and the General Laws is inconsistent with or in conflict with Provincial or National Laws of Canada the General Executive Board shall, in addition to its authority under the first Section of this Article have the authority to suspend the operation of such provision during the period the law or laws are in effect and to substitute in its place and stead 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.

SEC. 3. The General President, Assistant General President and General Secretary-Treasurer shall have the power, following Convention adoption of amendments to this Constitution but prior to printing thereof, to make such corrections, typographical, grammatical, punctuational, or including the supplying or remedying of inadvertent omissions or errors as are necessary to carry out the spirit and intent of any amendment adopted, as well as the powers to rearrange, renumber and relocate any

of the Sections and Articles of the Constitution, to divide Articles with several subjects into separate Articles, to recaption Articles and the power to incorporate in the Constitution in the form of new sections those resolutions and reports adopted by the Convention that have the force and effect of laws. Additionally, at the discretion of the General Officers, Constitution and General Laws amended or altered at regular sessions of the Convention by a majority vote of the delegates present and voting may be reviewed by the Chairman and Co- Chairman of the Constitution and By-Laws Committee who shall give their recommendations to the General Officers prior to printing.

SEC. 4. All amendments to the IUEC Constitution will be effective thirty (30) days after the close of the Convention unless a particular amendment specifies a different effective date in which event that shall be the effective date for that amendment.

TRADE JURISDICTION (COPY)

AMERICAN FEDERATION OF LABOR

Washington, D.C., May 9, 1904

Mr. Henry Snow,
General Secretary-Treasurer, International Union of Elevator
Constructors, Chicago, Ill.

Dear Sir and Brother

Today Brothers Feeney and Havenstrite of your organization called at this office and requested a definite statement regarding matters of jurisdiction of your International Union.

Of course you are aware that the same subject was under discussion at the Denver meeting of the Executive Council of the American Federation of Labor held last month.

Desirous of rendering the very best service I can to your Organization, consistent with the rights to which all other Organizations are entitled, I, therefore, beg to say that the time when your Organization applied for Charter from the American Federation of Labor the following claims to work were embodied in your application:

"The assembling of all elevator machinery, to wit: Hydraulic, Steam, Electric, Belt and Compressed Air; also assembling and building escalators or traveling stairways; the assembling of all cars complete, putting up all guides, either of wood or iron; the setting of all tanks whether pressure, open or pit tanks; the setting of all pumps (where pumps arrive on jobs in parts they are to be assembled by members of this Union). All electric work connected with car, machinery and hoistway, including bells, annunciators and lights; all overhead work, either of wood or iron, and supports for the same when required; the setting of all templates, all indicators, all foundations, either of wood or iron that would take the place of masonry, the assembling of all hydraulic parts in connection with elevators; all locking devices in connection with elevators; the boring, drilling and sinking of all plunger elevators, all link belt carriers and all work in general pertaining to the

erection and equipment of an elevator complete.

Prior to the issuance of the Charter to your organization claims to jurisdiction were made by several organizations of some classes of work which were not allowed. Then an agreement was reached between the representatives of the International Union of Elevator Constructors and the International Brotherhood of Electrical Workers, by which your organization yielded to the Electrical Workers the following classes of work: "The electrical work on flashlights, electrical annunciators and lamps and feed wires to the controller." With that reservation and with those claims made by your organization to jurisdiction, the Charter was issued by the American Federation of Labor.

Fraternally yours,

(Signed) SAMUEL GOMPERS,
President of the American Federation of Labor.

(The following is a report of Proceedings of the 7th Annual Convention of B. T. Dept. A. F. of L., held at Seattle Wash., Nov. 24-29, 1913, Pages 91-92, 151-152-153.)

**LOCKING DEVICES ON ELEVATOR
DOORS**

INTERNATIONAL ASSOCIATION BRIDGE & STRUCTURAL
IRON WORKERS

vs.

INTERNATIONAL UNION OF ELEVATOR CONSTRUCTORS

Jurisdiction over locking devices on Elevator Doors in the Railway Exchange Building, St. Louis, Mo., furnished cause for dispute between the Bridge and Structural Iron Workers and the Elevator Constructors.

"On the Chemical Building there are two different devices, namely the Burdett Roundtree Aid device and the Burdett Roundtree Motor Driven device. These were installed by the Elevator Constructors. We also visited the Wright Building and the Grand Leader Building. The devices were placed on the doors in the shop, as I understand, and are not operated either by opening or closing from the elevator car; the elevator operator must open and close them.

"The closing device on the Railway Exchange has no lock in connection with it. An iron arm or bar extends across the double doors and is connected with an air check which is fastened to the casing around the door to the elevator, and in some cases to the wall on the inside of the elevator shaft.

"In opening the door, the elevator operator must pull down an arm or bar, and when the doors are opened their full length the door is caught by a trip in the floor of the elevator, which holds it secure. In closing the door, the elevator operator steps on the trip in the elevator. This releases the

door, and the door is then forced shut by the air check.

"In conjunction with visiting the work in question, I have also examined the jurisdiction claims of both trades, and while the Iron Workers claims he has a local agreement, which I herewith enclose, I fail to find one word in his claim of jurisdiction, as submitted by the Department, which would give him the right to claim locking devices on elevator doors. I do find in the claim of jurisdiction of the Elevator Constructors the right to install locking devices, and in my opinion, this is the work of the Elevator Constructors.

"I therefore decide that the work belongs to the Elevator Constructors.

"Very respectfully yours,

"Charles Lammert,

"Arbitrator."

(The following is a report of Proceedings of the Tenth Annual Convention of the Building Trades Department American Federation of Labor held at Baltimore, Maryland, November 27-29, 1916. Pages 95-96.)

AUTOMATIC AND SEMI-AUTOMATIC ELEVATOR DOORS

BALTIMORE CONVENTION BUILDING TRADES DEPARTMENT 1916-1917 REPORT OF COMMITTEE ON ADJUSTMENT

Representatives of both organizations appeared before the committee, and your committee decided as follows:

That all semi or full automatic doors operated by device attached to elevator shall be under the jurisdiction of the Elevator Constructors. The erection of all solid iron and steel elevator enclosure doors, operated by power other than herein- before described shall come under the jurisdiction of the Bridge and Structural Iron Workers.

A motion was made and seconded to adopt the report of the committee.

Delegate Morrin: Inasmuch as there seems to be considerable confusion upon the interpretation placed upon this by Brother Feeney, I move that the remarks in full be incorporated in the minutes.

President Williams: They will be incorporated.

HOISTING, LOWERING AND PLACING OF ELEVATOR MACHINERY Decision Rendered February 7, 1922

In the matter of the dispute between the Elevator Constructors and Bridge and Structural Iron Workers referred to in the foregoing title, it is decided that the Elevator Constructors be awarded the hoisting, lowering, and placing of elevator machinery.

ELECTRICAL WORK ON ELEVATORS (REHEARING)

**Decision Rendered December 4, 1920:
Revised and Amended February 2, 1927**

In the matter of the dispute between the Elevator Constructors and the Electrical Workers on the question of all electrical work on elevators, it is agreed that the electrical work involved in the installation of signal systems, fans, telephones, electric light fixtures, illuminated thresholds and feed wires to the controller on all elevators is the work of the Electrical Workers; also the electrical work in connection with interlocking devices other than automatic elevators is awarded to the Electrical Workers.

The term "Automatic elevator" as used in this award includes the full automatic, double pushbutton, signal control and department store control elevators.

ORCHESTRA, CONSOLE AND ORGAN LIFTS

**Decision Rendered by Building Trades Employers'
Association, 30-34 West 33rd St., New York City, October 25,
1926**

In the complaint of the Elevator Constructors' Union against the Iron Workers' Union, the Committee finds that Orchestra, Console and Organ lifts is the work that is covered by the Agreement between the Elevator Manufacturers' Association and the Elevator Constructors' Union, and further that this work requires the inspection and approval of the Inspector of Elevators of the Bureau of Buildings and should be done by Elevator Constructors.