

CONSTITUTION

AND

BY-LAWS

NORTHWEST WASHINGTON
CENTRAL LABOR COUNCIL
BELLINGHAM, WASHINGTON



MARCH 2001

PREAMBLE

The establishment of this Local Central Body as a subordinate unit of the American Federation of Labor and Congress of Industrial Organizations is an expression of the desire of the unions in this community to participate fully in the achievement of the objectives of the parent Federation as it seeks to fulfill the hopes and aspirations of the working people of all America.

We seek the fulfillment of these hopes and aspirations through democratic processes within the framework of our constitutional government and consistent with our institutions and traditions.

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

We pledge ourselves to the more effective organizations of working men and women; to the securing to them of full recognition and enjoyment of the rights to which they are justly entitled; to the achievement of even higher standards of living and working conditions; to the attainment of security for all the people; to the enjoyment of the leisure which their skills make possible; and to the strengthening and extension of our way of life and the fundamental freedoms which are the basis of our democratic society.

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

As Sisters and Brothers of Labor we are grateful for the fine traditions of our past, confident of meeting the challenge of the future, we proclaim this constitution.

ARTICLE 1 **NAME AND AFFILIATION**

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

ARTICLE 2 **OBJECTS**

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

Section 2.1 - To assist in furthering the appropriate objects and policies of the AFL-CIO, or of organizations affiliated with the AFL-CIO (provided such objects or policies are not inconsistent with the objects or policies of the AFL-CIO).

Section 2.2 - To serve as a means of exchanging information among affiliated bodies on matters of common interest.

Section 2.3 - To provide aid, cooperation and assistance to affiliated local unions and other affiliated bodies in their common and individual endeavors.

Section 2.4 - To propose, support and promote legislation favorable to and to oppose legislation detrimental to the interest of workers and organized labor.

Section 2.5 - To encourage workers to register and vote, to exercise their full rights and responsibilities of citizenship, and to perform their rightful part in the political life of the local, state and national communities.

Section 2.6 - To engage in such other activities as is consistent with the objects and principles set forth in the Constitution of the AFL-CIO and the policies of the AFL-CIO.

ARTICLE 3 **COMPOSITION AND DELEGATES**

Section 3.1 - This Central Body shall be composed exclusively of such of the following organizations within the geographical limits covered by the Central Body's charter as shall conform to this constitution and the rules and regulations adopted pursuant thereto:

Section 3.1.1 - Local unions of national and international unions and organizing committees affiliated with the AFL-CIO, and local unions chartered directly by the AFL-CIO.

Section 3.1.2 - Local councils chartered by the trade and industries departments of the AFL-CIO.

Section 3.1.3 - Joint Boards, District Councils and similar subordinate organizations, which are duly chartered by an affiliate of the AFL-CIO.

Section 3.2 - Auxiliaries of affiliates of the AFL-CIO may be admitted to affiliate on a fraternal basis but without vote. No fee shall be charged for fraternal membership. Each auxiliary shall be entitled to one fraternal delegate.

Section 3.3 - Affiliated local unions in good standing shall be entitled to representation based on per capita tax paid according to the following schedule:

0	-	100 members	-	2 delegates
100	-	400 members	-	3 delegates
400+	-		-	1 additional delegate

Section 3.4 - Affiliated subordinate bodies other than unions, as defined in Section 3.1.1 of this Article, shall be entitled to one (1) delegate and one (1) vote each.

Section 3.5 - No person shall be eligible to serve as a delegate unless he/she is a member of a local union affiliated with this Central Body or unless he/she is a National or International Union representative regularly servicing such an affiliated union. No person shall be eligible to serve as a delegate who is a member of a union, which has been suspended or expelled from the AFL-CIO.

Section 3.6 - No delegate shall be seated in the Council who has not been regularly elected or appointed by the affiliate he /she represents and presents credentials, which have been properly attested to by the appropriate officers of said affiliate. This Council may give honorary and fraternal membership to any person whose relationship or service to the labor movement merits recognition. Such membership shall entitle recipient to fraternal delegate status in the Council without voice or vote.

Section 3.7 - Upon acceptance of a delegate's credential, the presiding officer shall administer the following obligation: "I, (name of delegate), do solemnly pledge my honor-that I will obey the rules and regulations of this Central Body and, to the best of my ability, perform all the duties I may be called on to discharge as a delegate thereto. I also pledge that I will patronize only union labels, shop cards and service buttons when they are available and that I will qualify myself to vote in all local, state and federal elections".

Section 3.8 - Absence from three (3) consecutive meetings of the Central Body without an acceptable excuse shall be sufficient grounds for declaring a delegate's seat vacant, following which the Secretary-Treasurer shall notify the delegate's organization and request that a new delegate be sent.

ARTICLE 4 **VOTING**

Section 4.1 - Except on roll call votes, each delegate shall be entitled to one (1) vote. Voting shall be by voice vote or division of the house (show of hands or standing vote) unless a roll call vote is properly demanded by the required number of delegates as provided for in Section 2 of this Article. No delegate shall be permitted to cast the proxy of another delegate and no delegate shall be allowed to represent more than one (1) organization.

Section 4.2 - A roll call vote shall be held on any pending question, including election of officers, upon demand of thirty percent (30%) or more of the delegates.

Section 4.3 - On roll call votes each local union shall be entitled to a number of votes equal to the average membership of the local union as determined according to the provisions of Section 4 of this Article.

Section 4.4 - The average membership of a local union shall be determined on the basis of per capita tax payments for the two (2) preceding calendar quarters. The average membership of a local union affiliated for less than the base period shall be computed from the month of affiliation, and shall be determined by dividing the total per capita tax paid for all months affiliated by the number of months affiliated or by six (6), whichever is greater.

Section 4.5 - The votes of a local union shall be divided equally among all its accredited delegates present and each delegate shall be entitled to cast only his/her assigned number of votes, except that to facilitate the calling of the roll one (1) delegate may be designated to cast all of the votes of the delegates representing his/her local union, provided that if any delegates shall challenge the correctness of the votes so cast the individual delegates of that local union shall be polled.

Section 4.6 - The Secretary/Treasurer shall maintain, on a current basis, the official roll of delegates, showing the average membership of each local union as established under the provisions of Article IV, Section 4.

ARTICLE 5 **MEETINGS**

Section 5.1 - Regular monthly meetings of the Central Body shall be held at the Union Center Building, Bellingham, Washington, on the 3rd Wednesday of each month at 5:30 p.m., unless amended by the central labor council. Due notice shall be given all affiliated organizations and/or delegates of any change of meeting place. Regular Central Body meetings shall adjourn upon completion of business unless the time is extended by a majority vote, but no adjournment shall take place while a vote is being taken.

Section 5.2 - Special meetings for consideration of specified matters shall be held when ordered by a regular meeting of the Central Body or by vote of the Executive Board. Written notice of the special meeting shall be given to all affiliated organizations and/or to each delegate at least five (5) days in advance of the meeting. The matter, or matters, for consideration of the special meeting shall be stated in the notice and no other business shall be transacted.

Section 5.3 - Seven (7) delegates representing five (5) different affiliated local unions shall constitute a quorum for transaction of business.

ARTICLE 6 **OFFICERS AND ELECTIONS**

Section 6.1 - The officers of the Central Body shall consist of a President, a Secretary/Treasurer, a Vice-President, a Recording Secretary, four (4) Trustees, two (2) from each area (of the former central labor council), who together shall constitute the Executive Board of the Central Body.

Section 6.2 - Each officer, at the time of his/her election and at all times during his/her term of office, shall be a duly accredited delegate from an affiliated organization. If he/she ceases to be a delegate the office he/she holds shall thereby become vacant and a special election as elsewhere provided for in this constitution shall be held to fill the vacancy.

Section 6.3 - The term of office shall be two (2) years and each officer shall hold office until his/her successor has been elected and installed.

Section 6.4 - Not more than one (1) delegate from the same local union, nor more than two (2) delegates from different locals of the same National or International Union, shall be eligible to hold office at the same time.

Section 6.5 - The election shall be held at the first regular meeting in the month of January, even number years. Nominations shall be opened at the first (1st) meeting in the preceding month. They may be reopened at any time prior to the election by a majority vote. The election shall not be postponed except for absence of a quorum or by order of the AFL-CIO or duly constituted public authority. A postponed election shall be held at the first succeeding regular meeting with due notice being given all affiliated organizations, or as may be directed by the AFL-CIO or by the public authority which ordered the postponement.

Section 6.6 - Installation of officers shall be held at the conclusion of the election, except that an officer-elect who is unavoidably absent shall be installed at the earliest possible meeting following the election, or he/she may be given the obligation at a meeting of the Executive Board.

Section 6.7 - The election for uncontested offices may be by acclamation. The election for contested offices shall be held by (voice vote, show of hands or standing vote unless) a roll call vote (is demanded by the requisite number of delegates). It shall require a majority to elect. The four (4) candidates for Trustee receiving the greatest number of votes shall be declared elected, subject to the restriction in Section 4 of this Article, provided, each has received a majority of the votes cast.

Section 6.7.1 - In cases where no candidate for a particular office receives a majority on the first vote all but the two (2) candidates for that office receiving the greatest number of votes shall be eliminated and a second vote shall be taken; except that in case a second vote is required for election of Trustees, the candidates receiving the fewest votes shall be eliminated so as to leave two (2) candidates for each unfilled Trustee's position.

Section 6.7.2 - In the event an election results in a violation of Section 4 of this Article the person involved who is elected to the office with highest rank shall be declared elected and another election shall be held for the other office or offices affected. For purposes of this subsection the rank of the offices shall be determined by the order named in Section 1 of this Article. In case the violation involves candidates for Trustee the number of votes received shall determine the rank among the Trustees.

Section 6.7.3 - Run-off elections under subsection (6.7.1) or subsection (6.7.2) of which are made necessary by a tie vote may be deferred until the next regular meeting by majority vote of the Central Body.

Section 6.8 - Election by roll call vote shall be held in accordance with the provision of Rule 9 (b) of the AFL-CIO Rules Governing AFL-CIO Central Labor Councils, issues June 29, 2000, or as the Rules may be amended.

Section 6.9 - In the event of a vacancy in any office, the position shall be filled by a special election, with nominations at the next meeting following the vacancy and the election at the succeeding meeting.

Section 6.10 - Before entering upon his/her duties each officer-elect shall assume the following obligation: "I, (give name) do hereby promise to faithfully perform all the duties of the office to which I have been elected to the best of my ability and to uphold the constitution of this Central Body and of the AFL-CIO. I further promise to deliver all property in my possession belonging to this Central Body to my successor in office and to surrender such property to the President of the AFL-CIO upon his/her official demand".

Section 6.11 – No individual shall be eligible to serve as an officer, member of the executive board or committee or other governing body of, or any other committee of, or as a delegate from, or as a representative, agent or employee of any local central body who consistently pursues policies and activities directed toward the achievement of the program or purposes of authoritarianism, totalitarianism, terrorism and other forces that suppress individual liberties and freedom of association or who holds a salaried position or any other position of administrative or executive authority in a union, or any subordinate branch of a union, which has been suspended or expelled from or has disaffiliated with the AFL-CIO.

ARTICLE 7 **DUTIES OF OFFICERS**

Section 7.1 - The President shall be the presiding officer of all meetings of the Central Body and of the Executive Board. He/She shall countersign all orders for the payment of finds of the Central Body. He/She shall exercise general supervision over the affairs and activities of the Central Body and shall perform such other duties as usually appertain to the office and as may be ordered by the Central Body or the Executive Board. He/She shall have power to interpret this Constitution, subject to ratification of the Central Body. He/She shall be ex-officio a member of all committees. He/She may appoint as many Sergeants-At-Arms as necessary to assist in maintaining order and in the conduct of meetings of the Central Body.

Section 7.2 - The Secretary/Treasurer shall be the custodian of the records of the Central Body. He/She shall keep a correct record of the proceedings of all meetings of the Central Body and of the Executive Board.

Section 7.2.1 - The Secretary/Treasurer shall receive and disburse all funds of this Central Body upon proper authorization. He/She shall maintain adequate financial records showing the standing of all affiliated organizations and the source and disposition of all funds in his/her care. He/She shall handle the funds and keep the financial records in a manner, which will meet the applicable requirements of the Code of Ethical Practices concerning accounting and financial controls as approved by the Executive Council of the AFL-CIO and as may be required by the Secretary/Treasurer of the AFL-CIO under the rules governing Local Central Bodies.

Section 7.2.2 - The Secretary/Treasurer shall submit to the Central Body a monthly financial statement of all funds in his/her keeping, showing the accounts in such detail as the Executive Board or the Central Body may require, and shall submit his/her books for audit on request of the Executive Board, but at least annually.

Section 7.3 - The Vice-President shall perform the duties of the President in his/her absence or incapacity and shall assist the President when requested.

Section 7.4 - The Trustees shall be the custodians of the physical properties of the Central Body and shall prepare and maintain an inventory of all such properties showing the date of purchase, the cost and estimated current value. They shall examine the records of the Secretary/Treasurer quarterly and shall report to the Central Body on the condition of these records.

ARTICLE 8 **EXECUTIVE BOARD**

Section 8.1 - The Executive Board shall be composed of all the officers enumerated in Article VI, Section 6.1.

Section 8.2 - The Executive Board shall be the governing body of the Central body between meetings and it is authorized and empowered to take such action and render such decisions as may be necessary to carry out fully the decisions and instructions of the Central Body and as may be necessary and appropriate to safeguard and promote the best interests of the Central Body and its affiliated unions.

Section 8.3 - The Executive Board shall meet as needed, at such time and place as it may determine and it shall meet on call of the President or a majority of the Executive Board, when a special meeting is necessary.

Section 8.4 - The Executive Board shall have the power to make a temporary appointment to any office not otherwise provided for in this Constitution for the period of a temporary disability or the absence of an officer, or in case of a permanent vacancy, until a special election has been held.

Section 8.5 - A quorum for transaction of the business of the Executive Board shall consist of a majority of its members.

ARTICLE 9 **CHARGES AND HEARINGS**

Section 9.1 - Any affiliated organization by vote of its membership, or any officer of or delegate to the Central Body shall have the right to file charges (a) against any delegate to the Central Body for having engaged in conduct or a course of activity hostile or contrary to the best interests of this Central Body for violating the Constitution, or (b) against any officer of the Central Body for violating the Constitution or rules of the AFL-CIO or the Constitution of this Central Body, or for conduct unbecoming an officer, misappropriation of funds, malfeasance in office or neglect of duty, or (c) against any organization affiliated with the Central Body for having engaged in conduct or a course of activity hostile or contrary to the best interests of the Central Body or contrary to the Constitution.

Section 9.2 - All charges shall be in writing, specifying the particular act or acts charges; shall be signed by the charging party or by its officers, if an affiliated organization; an shall be filed with the President or the Secretary/Treasurer of the Central Body, or with any other officer of the Central Body, if both the President and the Secretary/Treasurer are charged.

Section 9.3 - Upon receipt of the charges properly filed the officer receiving the charges shall present them to the Executive Board at its next meeting and the Executive Board shall determine by majority vote whether or not the charges merit a hearing.

Section 9.4 - The Executive Board may take appropriate disciplinary action, including the suspension or expulsion of any delegate or affiliated organization, and the suspension or removal of any officer found guilty of the charges by a two-thirds (2/3) vote. Following a hearing, of which the accused shall have been notified and furnished with a copy of the charges, not less than thirty (30) days in

advance of the hearing. Both the accused and the charging party shall be accorded full opportunity to be heard and to present evidence.

Section 9.5 - The decision of the Executive Board under Section 9.3 or Section 9.4 shall be reported to the next meeting of the Central Body. Such decision shall be final and binding unless appealed as hereinafter provided.

Section 9.6 - Either party may appeal the decision of the Executive Board to the Central Body. Notice of such appeal shall be filed in writing with the President or the Secretary/Treasurer within ten (10) days of the Executive Board's report to the Central Body. The appeal shall be heard expeditiously and at a regular meeting of the Central Body, at which time the charging party, the defendant and the Executive Board, through its selected spokesman, in that order, shall be allowed ten (10) minutes each on the question of sustaining the decision of the Executive Board. It shall require a majority vote to sustain the decision.

Section 9.7 - The final decision of the Central Body may be appealed to the AFL-CIO as provided in the rules of the AFL-CIO governing local Central Bodies. The decision of the Central Body shall remain in effect during appeal unless reversed, modified or stayed by the AFL-CIO.

ARTICLE 10 **PER CAPITA TAXES AND FEES**

Section 10.1 - Affiliated local unions shall pay a monthly per capita tax of ^{twenty-five} ~~fifteen~~ cents (~~\$15~~) on all dues-paying members of the local union except that a local union whose members are regularly employed in the jurisdiction of another Local Central Body, and is affiliated with such Central Body, shall be required to pay per capita tax only on its members regularly employed within the jurisdiction of this Central Body. A local union desiring to affiliate shall pay one (1) month's per capita tax at the time of affiliation. Per capita tax for succeeding months shall be due on the first (1st) of each month thereafter. Per capita tax in each case shall be based on the number of dues-paying members for the preceding month. If per capita tax for any month is not paid by the first (1st) of the following month the local union shall be deemed in arrears.

Section 10.2 - Other affiliated organizations (as defined in Article III, Section 3.1), shall pay an annual fee of twenty-five dollars (\$25.00). Any such organization desiring to affiliate shall pay one (1) year's fee at the time of affiliating. The annual fee for succeeding years shall be due on the first (1st) of the anniversary month each year thereafter and, if not paid by the first (1st) of the succeeding month after it is due, the organization shall be deemed in arrears.

Section 10.3 - A local union or other organization which becomes two (2) months in arrears shall be so notified in writing by the Secretary/Treasurer and if it becomes three (3) months in arrears shall not be considered in good standing and shall not be entitled to voice or vote in meetings of this Central Body. It shall be so notified in writing by the Secretary/Treasurer.

Section 10.4 - A local union or other organization that becomes four (4) months in arrears shall stand suspended from membership and shall be so notified in writing by the Secretary/Treasurer.

Section 10.5 - A local union or other organization which has been suspended, or which has withdrawn from membership, may be reinstated by payment of all amounts due at the time of suspension or withdrawal and the current per capita tax or annual fee. However, the average membership of a reinstated local union for purposes of roll call voting shall be computed from the date of reinstatement as if it were a newly affiliated local union, unless the local union shall pay the back per capita tax for the full base period used to determine the average membership as heretofore defined.

Section 10.6 - A local union paying per capita tax on less than its full, dues-paying membership shall be subject to suspension by the Executive Board under the procedures of Article IX of this Constitution. The Executive Board may require a local union to produce proof of membership where reason exists to believe such local union is violating this provision. If the local union shall fail or refuse to produce such proof on request, the Executive Board may base its determination on such evidence as may be available.

Section 10.7 - The Executive Board may exonerate any local union from payment of per capita tax for any month that in the opinion of the Executive Board good cause therefore exists, subject to ratification by the Central Body. Exonerated members shall be regarded, for purposes of this constitution, as paid up members for the period of exoneration, but the delegates representing such local shall not vote on the question of exoneration.

ARTICLE 11 **FINANCIAL PRACTICES AND AUDITS**

Section 11.1 - All funds of this Central body shall be placed on deposit in a national bank or other federally insured financial institution, as designated by the Executive Board and shall be paid out only by check bearing two (2) signatures, of the President and the Secretary/Treasurer and/or the Vice-President. No funds shall be expended unless authorized by the Central Body (or the Executive

Board in case of emergency) and the expenditure is properly supported by a voucher showing the particular purpose of the expenditure and the source of the authority for making such expenditure. All invoices, receipts and other supporting documents shall be attached to the voucher, which shall be signed by the Secretary/Treasurer and countersigned by the President.

Section 11.2 - The accounts and financial records of the Central Body, including all committees and subordinate agencies of the Central Body, shall be reviewed quarterly and audited annually by the Trustees. These reviews/audits shall be submitted to the Central Body and a copy sent annually to the AFL-CIO. The Executive Board may require more frequent audits or examination of the accounts and financial records of the Secretary/Treasurer in its discretion.

Section 11.3 - Officers, delegates and other authorized persons shall be reimbursed for necessary and legitimate expenses, including actual loss of salary, which may be incurred in the performance of authorized activities for the Central Body. An itemized accounting of such expenses shall be submitted to the Executive Board.

Section 11.4 - All officers and agents of this Central Body having a financial responsibility shall be covered by a fidelity bond in an amount to be determined by the Executive Board, or as may be required by the Secretary/Treasurer of the AFL-CIO. Should the amount of this bond exceed the amount of the bond regularly furnished without cost by the AFL-CIO the Central Body shall pay the additional cost of such bond.

ARTICLE 12 **COMMITTEES**

Section 12.1 - The following standing committees of three (3) or more members each shall be appointed by the President with the advice and consent of the Executive Board: Affiliation and Organization, Community Services, Economic Opportunity, Union Labels, Civil Rights, Legislation/Education, Ethical Practices Committee and Retirees.

Section 12.2 - The members of the standing committees shall serve at the pleasure of the President.

Section 12.3 - Special Committees may be established from time to time by the Central Body as needed and shall be appointed by the President unless otherwise directed by the Central Body.

Section 12.4 - All Committees shall report regularly to the Central Body and any Committee which fails to function shall be dismissed and a new Committee appointed.

ARTICLE 13 **LEGISLATIVE AND POLITICAL ACTION**

Section 13.1 - The legislative activities of the Central Body shall be under the direction of (the Executive Board). These activities shall conform to the policies of the state AFL-CIO on state matters and to the policies of the National AFL-CIO on National affairs, and to the policies adopted by the Central Body and the decisions of the Executive Board on local matters.

Section 13.2 - The political activities of the Central Body shall be under the direction of the Central Body's Committee on Political Education, which is hereby constituted as the political arm of this Central Body. The Central Body's Committee on Political Education shall operate in conformity with the policies of the AFL-CIO and of the National and State COPE.

Section 13.3 - The Executive Board shall constitute the Central Body's committee on Political Education. Additional members may be added to the Committee by properly approved By-Laws. The Central Body's Committee on Political Education shall have power to formulate By-Laws to govern COPE, which shall be consistent with the policies of National COPE. Such By-Laws shall be subject to ratification by the Central Body.

ARTICLE 14 **RULES, PARLIAMENTARY AUTHORITY AND AMENDMENTS**

Section 14.1 The procedures to be followed by this Central Body with respect to Boycotts, Unfair Lists, Strikes, Collective Bargaining and Publications issued or endorsed by this Central Body, and in all other matters, shall be in accord with the AFL-CIO Rules Governing Local Central Bodies.

Section 14.2 - The Constitution of this Council may be amended at any meeting by two-thirds (2/3) majority vote, provided that notice of the proposed amendment is given in advance and the amendment is approved by the President of the AFL-CIO.