

NORTH BAY LABOR COUNCIL,

AFL-CIO

CONSTITUTION

AND

BY-LAWS

(Representing Sonoma, Mendocino, Lake & Marin Counties)

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CONSTITUTION - NORTH BAY LABOR COUNCIL, AFL-CIO:

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

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

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

ARTICLE I - NAME AND AFFILIATION:

This organization shall be known as the North Bay 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 II - 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:

(a) 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);

(b) To serve as a means of exchanging information among affiliated bodies on matters of common interest;

- (c) To provide aid, cooperation and assistance to affiliated local unions and other affiliated bodies in their common and individual endeavors;
- (d) To propose, support and promote legislation favorable to and to oppose legislation detrimental to the interest of workers and organized labor.
- (e) To encourage workers to register and vote, to exercise their full rights and responsibilities of citizenship, and to perform their rightful part in the political life of the local, state and national communities.
- (f) To engage in such other activities as are consistent with the objects and principles set forth in the Constitution of the AFL-CIO and the policies of the AFL-CIO.

ARTICLE III - COMPOSITION AND DELEGATES:

Section 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:

- (a) Local Unions of National and International Unions and organizing committees affiliated with the AFL-CIO, and Local Unions chartered directly by the AFL-CIO.
- (b) Local Councils chartered by the Trade and Industrial Departments of the AFL-CIO.
- (c) Joint Boards, District Councils and similar subordinate organizations, which are duly chartered by an affiliate of the AFL-CIO.

Section 2 - Auxiliaries of affiliates of the AFL-CIO shall be entitled to affiliate on a fraternal basis, but without voice or vote. No fee shall be charged such affiliated auxiliaries. Each auxiliary shall be entitled to two (2) fraternal delegates.

Section 3 - (a) Affiliated local unions in good standing (that is, not more than two months in arrears, unless exonerated as hereinafter provided) shall be entitled to representation according to the following schedule.

50 members or less - 2 delegates	51-100 members - 3 delegates
101-250 members - 4 delegates	251-500 members - 5 delegates

One additional delegate for each additional 250 members or any fraction thereof above 500.

- (b) Affiliated local unions in good standing may elect or appoint alternate delegates equal to the number of authorized delegates. Alternate delegates must be reported to the Central Labor Council in writing. Alternate delegates may appear at all meetings without voice or vote unless they are replacing an absent delegate. Should a vacancy occur and an alternate replaces a seated delegate he/she shall enjoy all the rights and privileges of the delegates replaced.

Section 4 - No person shall be eligible to serve as a delegate unless he/she is a member of a 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 holds a salaried position, or any other position of administrative or executive authority, in a union or any subordinate branch of a union, which has been suspended or expelled from the AFL-CIO.

Section 5 - Affiliated subordinate bodies other than local unions as defined in Section 1 of this Article, shall be entitled to one delegate and one vote each.

Section 6 - Except on roll call votes, each delegate shall be entitled to one vote. Voting shall be by voice vote or division of the house (show of hands or standing vote) unless a roll call vote is properly demanded by the required number of delegates as provided for in Article IV of this constitution. No delegates shall be allowed to represent more than one organization.

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

Section 8 - (Also printed on back cover) 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. **I pledge to abide by the ethical practices code of the AFL-CIO and the anti-harassment and anti-discrimination policy and code of conduct of this council.**"

(President): "Delegates, I herewith hand you a copy of our Constitution. Carefully read it and you will learn your duties and privileges as a delegate to this Council. I hope you will attend all meetings of this body and take an active part in its deliberations."

Section 9 - Absence from three consecutive meetings of the Central Body without an acceptable excuse may be sufficient grounds for declaring a delegate's seat vacant. The Secretary-Treasurer shall notify the delegate and local within a reasonable period of time (thirty (30) days). Delegate may file an appeal in writing to the Executive Board for hearing at a time to be set by Executive Board.

The Council will undertake all reasonable efforts to ensure diversity of representation at every level.

ARTICLE IV - ROLL CALL VOTING:

Section 1 - A roll call vote shall be held on any pending question including election of officers, upon demand of thirty (30%) per cent or more of the delegates present. Except on roll call votes, each delegate shall be entitled to one vote. No delegate shall be permitted to cast the proxy of another delegate and no delegate shall be allowed to represent more than one organization.

Section 2 - 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 3 of this Article.

Section 3 - The average membership of a local union shall be determined on the basis of per capita tax payments for the two 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, whichever is greater.

Section 4 - 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 or her assigned number of votes, except that to facilitate the calling of the roll, one delegate may be designated to cast all of the votes of the delegates representing his or her local union, provided that if any delegate shall challenge the correctness of the votes so cast, the individual delegates of that local union shall be polled.

Section 5 - 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 3.

Section 6 - On a roll call vote, a member with Emeritus status may only vote "Present".

ARTICLE V - MEETINGS:

Section 1 - Regular meetings of the Central Body shall be held at 6:45 p.m. on the fourth Wednesday of each month at the Plumber's Hall, 3473 Santa Rosa Ave., Due notice shall be given all affiliated organizations and/or delegates of any change of meeting place. Regular Central Body meetings shall adjourn at the close of business.

Section 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 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 3 - Ten (10) delegates representing seven (7) different affiliated local unions shall constitute a quorum for transaction of business. It shall be understood that special meetings of this Central Body can be held in Mendocino or Lake County, if the circumstances require.

ARTICLE VI - OFFICERS AND ELECTIONS:

Section 1:

(a) The regular officers of this council shall be: President, Vice-President, Secretary-Treasurer, Recording Secretary, Sergeant-at-Arms, Board of three (3) Trustees, and ten (10) members elected to the Executive Board. Each of these ten (10) elected additional members shall be from a different local union.

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

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

Section 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 or appointment, as elsewhere provided for in this constitution, shall be held to fill the vacancy.

Section 3 - The term of office shall be two (2) years and each officer shall hold office until his successor has been elected and installed.

Section 4 - Nominations for all officers shall be held in odd numbered years at the first regular meeting in January. **Prior to the meeting at which nominations take place, the president shall appoint, with approval of the delegate body, an election committee to oversee the election.** The election shall be held at the first regular meeting in February, subject to Section 6, Article VI.

(a) The Election Committee shall be responsible for making election decisions in accordance with, and within the confines of, the AFL-CIO Constitution, the Rules Governing Area and Central Labor Councils, and the council's constitution. The Committee:

- **Will work with the Treasurer to verify all affiliates' eligibility participate in the election and cast ballots under the provisions of this constitution;**
- **Will confirm that each nominated candidate is a member in good-standing of an affiliated Local Union in good standing with the council, and that the candidate is an official credentialed delegate to the council;**
- **Will serve as the first level of deciding authority on procedural issues;**
- **Will confirm that each candidate accepts the nomination for office, either in person or in writing to the Election Committee;**
- **Will confirm with the Credentials Committee and/or Secretary that each Delegate is duly credentialed and eligible to cast ballots;**
- **Cannot be over-ruled by the Executive Board during the election process, but their decisions and actions may be appealed to the Board after the election, in accordance with this Constitution.**
- **Will cooperate with the National AFL-CIO in any review, investigation, or appeal of the election;**

(b) Immediately after the completion of the election, the Election Committee shall prepare a written, signed report showing the number of votes cast for each candidate. This report and all ballots and election materials shall be retained by the Committee until any appeal period and any appeals have been exhausted, and then presented to the Secretary, who shall preserve the materials for no less than six (6) months from the date of the election or the conclusion of all appeals, whichever is later. The Election Committee shall review election appeals .

(c) No less than 45 nor more than 120 days prior to an election of labor council officers, the Council Recording Secretary shall compile and notify each affiliate organization of the availability of a list containing the following information:

- (i) the name and address of each of the elected council's officers (including Executive Board members);**
- (ii) the name and mailing address of each of the organizations affiliated with the council;**
- (iii) the name of each of the affiliated organization's principal officers;**
- (iv) each organization's projected per capita voting strength and delegate entitlement at the election; and,**
- (v) to the extent available, the names and mailing addresses of the delegates. Officers of**

organizations affiliated with the local central body shall also be entitled to inspect, at the place where the records are kept, and make their own notes concerning the most current underlying records relating to the information included in the list provided above.

Section 5:

(a) For the purposes of nomination and election of the ten (10) additional Executive Board members and the three (3) Trustee positions the ballot counting process shall be as follows:

(1) Three (3) or more Trustees shall be nominated. The three (3) candidates receiving the highest number of votes shall be duly elected.

(2) Ten (10) or more candidates shall be nominated for the position of Executive Board Officers. The seven candidates receiving the highest number of votes shall be duly elected. Delegates casting ballots for Trustees and Executive Board Officers may cast not more than three (3) votes for Trustees and not more than ten (10) votes for Executive Board Officers.

(b) It shall be understood that at least one of the ten (10) additional Executive Board members shall be from Mendocino County and at least one of the additional Executive Board members shall be from Lake County. These two positions on the Executive Board shall be filled by a person who is a member of an affiliated chartered local union, which is represented in Mendocino County and Lake County. If there are no such locals affiliated with this Central Body then the two positions on the Executive Board shall remain vacant until such time as such affiliation shall occur. It shall be understood that at least three (3) of the ten (10) additional Executive Board members shall be from Marin County. These three (3) positions of the Executive Board shall be filled by a person who is a member of an affiliated chartered local union, which is represented permanently in Marin County.

Section 6:

(a) The election may be by acclamation for any office for which there is only one nomination. Contested elections may be decided by ballot, unless a roll call vote is demanded by the required number of delegates. It shall require a majority to elect.

(b) In cases where there are more than two candidates for a single office and none receives a majority on the first vote, all but the two receiving the greatest number of votes shall be eliminated and a second vote shall be taken.

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

Section 7 - Election by roll call vote shall be held in accordance with the provisions of Rule 10 (b) of the AFL-CIO Rules Governing Local Central Bodies, issued May 1991, or as the rule may subsequently be amended.

Section 8:

(a) In the event of a vacancy in any office, position shall be filled as follows: A special nomination meeting shall be held after announcement of the vacancy for the office of President, Vice President, Secretary-Treasurer, and Recording Secretary. The election shall be held at the next regular general membership meeting following the nomination meeting for these offices.

(b) In the event of a vacancy in the offices of Sergeant-at-Arms, Trustee, Executive Board Officer the President shall appoint a Delegate to fill the vacancy until a special election can be held. Special elections shall be held according to the provisions outlined in Article VI, Section 8 (a) above.

Section 9 - (Add to Back Cover) - Before entering upon his 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 official demand. **I pledge to abide by the ethical practices code of the AFL-CIO and the anti-harassment and anti-discrimination policy and code of conduct of this council.**"

Section 10 - When a duly elected officer of this Central Body is absent for three (3) consecutive meetings without an acceptable excuse, or six (6) consecutive meetings regardless of the excuse the President or Pending Officer shall declare the office vacant. The Secretary-Treasurer will notify the Officer, his/her Local and the delegates within ten (10) days. The vacancy will be filled as set forth in Article VI, Section 8. An acceptable excuse is defined as one that has been approved by the membership at the next General Meeting after the excuse is offered.

Section 11 – The Central Body may extend or rescind Emeritus status to a past President or Secretary-Treasurer by majority vote. Emeritus status confers ex-officio membership to the Executive Committee.

Section 12 - A candidate for office and/or any delegate or Principal Officer of an affiliated organization may make a protest of the election of any elected position of the council.

(a) Such protest must:

- **Be filed with the Election Committee;**
- **Be in writing and signed by the protesting party;**
- **Be filed within 30 days of the election, or the election certification, whichever is later;**
- **Contain any information that the filing party wishes the Election Committee to consider regarding the conduct of the election and any procedural requirements that are alleged to have been violated.**

(b) The Election Committee shall familiarize themselves with the issues raised in the protest, take into consideration any pertinent facts and procedural requirements, solicit information from interested parties, and review the conduct of the election for compliance with this Constitution, the AFL-CIO Constitution, and other applicable AFL-CIO rules and policies. Within 30 days of their receipt of the protest, the Committee will deliver their report to the Executive Board at its next meeting and the Executive Board shall determine by majority vote whether or not the protest merits a hearing.

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

(d) Following a hearing, the Executive Board, by a two-thirds vote, may order appropriate

remedies up to and including the rerun of the election.

- (e) The Executive Board shall notify all parties of its decision within thirty days after the hearing. Said notification shall be sent by certified mail.**
- (f) The decision of the Executive Board shall be reported to the next Delegate Body meeting and shall be final and binding unless appealed as hereinafter provided.**
- (g) The decision of the Executive Board may be appealed to the Delegate Body by any delegate or Principal Officer of an affiliated organization. Notice of such appeal shall be filed in writing with the President (or acting President) or Secretary (or acting Secretary) within ten (10) days of the Executive Board's report to the Delegate Body. The appeal shall be heard expeditiously at a regular meeting of the Delegate Body, at which time the party appealing to the Delegate Body, each candidate in the challenged race(s), and the Executive Board, through its selected spokesperson, in that order, shall be allowed fifteen (15) minutes each to present statements of the case, following which the delegates shall have up to ten (10) minutes to ask questions of each of the parties. The delegates shall then vote on the question of sustaining the decision of the Executive Board. It shall require a majority vote to sustain the decision.**
- (h) The decision of the delegate body may be appealed to the President of the AFL-CIO within thirty days of receipt of notification. The decision of the delegate body shall remain in effect during the appeal unless reversed, modified or temporarily stayed by the President of the AFL-CIO. [Rule 9(b)]**
- (i) No organization or individual subject to this Constitution shall resort to any court until redress to the AFL-CIO has been exhausted.**

ARTICLE VII - DUTIES OF OFFICERS:

Section 1 - The President shall be the presiding officer of all meetings of the Central Body and of the Executive Board. He shall countersign all orders for the payment of funds of the Central Body. He 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 shall have power to interpret this Constitution, subject to ratification of the Executive Board and of the Central Body. He shall be ex-officio a member of all committees. He may appoint as many Sergeant-at-Arms as necessary to assist in maintaining order and in the conduct of meetings of the Central Body.

Section 2:

- (a) The Secretary-Treasurer shall be the custodian of the records of the Central Body other than those of the Recording Secretary.
- (b) He shall receive and disburse all funds of this Central Body upon proper authorization. He shall maintain adequate financial records showing the standing of all affiliated organizations and the source and disposition of all funds in his care. He 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.

(c) He shall submit to the Central Body a monthly financial statement of all funds in his keeping, showing the accounts in such detail as the Executive Board or the Central Body may require, and shall submit his books for audit on request of the Executive Board, but at least annually.

Section 3 - The Vice President shall perform the duties of the President in his absence or incapacity and shall assist the President when requested.

Section 4 - The Recording Secretary shall keep a correct record of the proceedings of all meetings of the Central Body and of the Executive Board. He shall take charge of the attendance register and see that all delegates present are registered thereon.

Section 5 - 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.

Section 6 – All officers and managerial employees of this Council must certify that they have read the AFL-CIO’s Ethical Practices Code, that they are in compliance with it, and if not, state the steps that will be taken to comply with it. **All officers and staff must pledge to abide by the anti-harassment and anti-discrimination policy and code of conduct of this council.**

ARTICLE VIII - EXECUTIVE BOARD:

Section 1 - The Executive Board shall be composed of all officers enumerated in Article VI, Section I. Additionally, in areas with one or more viable AFL-CIO constituency groups, the combined constituency groups affiliated with the labor council shall be entitled to one voting seat (or more, if the labor council’s constitution so provides) on the labor council’s governing board.

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

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

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

ARTICLE IX - CHARGES AND HEARINGS:

Section 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 or contrary to its 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 this Constitution.

Section 2 - All charges shall be in writing, specifying the particular act or acts charged; shall be signed by the charging party or by its officers, if an affiliated organization; and shall be filed with the President or Secretary-Treasurer of the Central Body, or with any officer of the Central Body, if both the President and the Secretary-Treasurer are charged.

Section 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 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-third vote, following a hearing, of which the accused shall have been notified and furnished with a copy of the charges not less than fifteen (15) 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 5 - The decision of the Executive Board under Section 3 or Section 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 6 - The decision of the Executive Board may be appealed to the Central Body by either party. Notice of such appeal shall be filed in writing with the President or the Secretary-Treasurer within ten (10) days of the Executive Board's report to the 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 to present statements of the case, following which the delegates shall vote on the question of sustaining the decision of the Executive Board. It shall require a majority vote to sustain the decision.

Section 7 - The final decision of the Central Body may be appealed as provided in the Rules of the AFL-CIO Governing Local Central Bodies.

ARTICLE X - PER CAPITA TAXES AND FEES:

Section 1 - Affiliated local unions shall pay a monthly per capita tax of seventy-five cents (\$0.75) on all dues paying members of the local union. An amount equal to ten percent (10%) of the total per capita collected shall be transferred each month to the North Bay Labor Council Committee on Political Education, AFL-CIO (Area COPE). A local union desiring to affiliate shall pay one month's per capita tax at the time of affiliation. Per capita tax for succeeding months shall be due on the first of each month thereafter. Per capita tax in each case shall be based on the number of dues-paying members for the preceding month thereafter. If per capita tax for any month is not paid by the first of the following month the local union shall be deemed in arrears. Affiliates may request exoneration from per capita payments for a specific period based upon documented financial hardship. The process for financial hardship exoneration may be renewed.

Section 2 - Other affiliated organizations (as defined in Article III, Section 1) shall pay an annual fee of \$15.00. Any such organizations desiring to affiliate shall pay one's year's fee at the time of affiliating. The annual fee for succeeding years shall be due on the first of the anniversary month each year thereafter and, if not paid by the first succeeding month after it is due, the organization shall be deemed in arrears.

Section 3 - A local union or other organization which becomes two months in arrears shall be so notified in writing by the Secretary-Treasurer and if it becomes three 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 4 - A local union or other organization, which becomes four months in arrears shall stand suspended from membership and shall be so notified in writing by the Secretary-Treasurer.

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

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

Section 7 - The 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 the Constitution, as paid up members for the period of exoneration.

ARTICLE XI - FINANCIAL PRACTICES AND AUDITS:

Section 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 the signatures of the President and the Secretary-Treasurer. No check shall be drawn unless 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 2 - The accounts and financial records of the Central Body including all committees and subordinate agencies of the Central Body shall be audited annually by the Trustees and shall cover the full calendar year. An Audit shall be performed by a Certified Public Accountant when the Executive Board deems it necessary. These audits shall be submitted to the Central Body and a copy sent to the AFL-CIO. The Executive Board may require more frequent audits or examinations of the accounts and financial records of the Secretary-Treasurer in its discretion.

Section 3 - The Secretary-Treasurer shall receive the sum of \$200.00 per month as compensation for the faithful performance of his constitutional responsibilities.

Section 4 - 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 5 – All officers and agents of this Council having a financial responsibility shall be covered by a fidelity bond in an amount equal to no less than ten percent (10%) of its revenue in the prior fiscal year. Should the amount of this bond exceed the \$2,500 amount of the bond furnished without cost by the AFL-CIO, the Council shall pay the additional cost of such bond.

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

ARTICLE XII - COMMITTEES:

Section 1 - The following standing committees of not less than three (3) members each may be appointed by the President with the advice and consent of the Executive Board: Credentials, Affiliation and Organization, Community Services, Economic Opportunity, Union Labels, Education, Civil Rights and Organizing.

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

Section 3 - Special Committees may be established from time to time by the Central Body as needed and shall be appointed by the President unless otherwise directed by the Central Body.

Section 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 XIII - LEGISLATIVE AND POLITICAL ACTION:

Section 1 - The Executive board shall constitute the Committee on Legislation. The legislative activities of the Central Body shall be under the direction of the Secretary-Treasurer. 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 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 3 - The President, the Vice President, the Secretary-Treasurer and the other members of the Executive Board of this Central Body shall occupy the corresponding positions in the Central Body's COPE and together shall constitute the Executive Committee of the Central Body's COPE.

Section 4 - The Executive committee of COPE shall have power to formulate By-Laws to govern COPE, which shall be consistent with the policies of the National COPE. Such By-Laws shall be subject to ratification by the Central Body.

ARTICLE XIV - RULES, PARLIAMENTARY AUTHORITY AND AMENDMENTS:

Section 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 shall be in accord with the AFL-CIO Rules Governing Local Central Bodies.

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

Section 3 - The parliamentary rules contained in Roberts Rules of Order, Revised, shall govern this Central Body in all cases to which they are applicable and in which they are not inconsistent with this Constitution, or such special rules of order as may be adopted by this Central Body.

Section 4 - This Constitution may be amended by any regular meeting of this Central Body by two-thirds of the votes cast, provided the proposed amendment shall have been submitted in writing to the Secretary-Treasurer at the preceding regular meeting and properly certified by an affiliated organization or by a delegate representing an affiliated organization. Amendments may also be proposed by the Executive Board. All proposed amendments shall be read in full at the meeting at which received and copies shall be made available on request to all delegates prior to final consideration. Amendments to this Constitution shall become effective when approved by the President of the AFL-CIO.

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BY-LAWS
FOR
THE
NORTH BAY LABOR COUNCIL
COMMITTEE ON POLITICAL EDUCATION,
AFL-CIO

I. NAME:

The committee shall be known as the North Bay Labor Council Committee on Political Education, AFL-CIO, hereinafter called the Area COPE.

II. PURPOSES:

This Area COPE shall be vested with the duty and responsibility to assist the North Bay Labor Council, AFL-CIO, in meeting the need of sound political education. It shall 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.

III. COMPOSITION:

The Area COPE shall be composed of the following:

1. Officers and Executive Board members of the North Bay Labor Council, AFL-CIO.
2. The Director of the Women's Activities Department of the Area COPE.
3. Such additional representation as the Central Body may decide.

IV. DUTIES:

1. The Area COPE is a Committee of, and derives its power from, the North Bay Labor Council, AFL-CIO. It shall also operate in conformity with the policies of the National AFL-CIO and the National Committee on Political Education.
2. The Area COPE shall have the responsibility of stimulating, assisting and coordinating campaigns in its area.
 - (a) For the registration of AFL-CIO members and their family.
 - (b) To get out the vote on Election Day.
 - (c) To educate members, families and friends on the political issues of the day and encourage study and discussions of such issues and related candidates.
 - (d) To indicate approval or disapproval of candidates and proposals, pursuant to the procedures set forth hereafter.
3. The Area COPE shall have primary responsibility for the establishment of central card files for AFL-CIO members and families and for the promotion of ward, precinct and other neighborhood Committees.
4. If there is more than one congressional district within the area, the Area COPE may establish a congressional district committee in each district for the purpose of coordinating the political education activities therein.

V. OFFICERS AND COMMITTEES:

1. The President, the Vice President and Secretary-Treasurer of the North Bay Labor Council, AFL-CIO, shall be the Chairperson, Vice Chairperson and the Secretary-Treasurer respectively of the Area COPE. The Executive Board of the Central Body shall be the Executive Board of the Area COPE.
2. The Chairperson shall preside and preserve order at all meetings of the Area COPE and of its Executive Board. They shall transact any such business as may appertain to the office. They shall be ex-officio member of all subcommittees.
3. The Secretary-Treasurer of the Central Body shall be responsible for the records of the Area COPE. The Secretary-Treasurer shall receive and disburse all funds of the Area COPE, maintain records, and submit reports as directed by the constitution of the Central Body or its delegates.
4. The Area COPE shall meet monthly. Meetings of the COPE and the COPE Executive Board shall be called by the Chairperson upon adequate notice. Special meetings of COPE also may be called upon request of 25% of the COPE Executive Board, also may be called on request of 25% of the Board membership. A quorum of the COPE and of the COPE Executive Board shall be equivalent to the quorum of the North Bay Central Labor Council of Sonoma, Mendocino & Lake Counties, AFL-CIO.

VI. WOMEN'S ACTIVITIES DEPARTMENT:

1. This subcommittee shall be known as the Women's Activities Department of the Committee on Political Education of the North Bay Labor Council, AFL-CIO.
2. The purpose of this department is to achieve full participation of women trade union members, wives, widows, sisters and daughters of trade union members in the development and activities of the Committee on Political Education of the North Bay Labor Council, AFL-CIO.
3. The Women's Activities Department of the Area COPE is a regularly constituted subcommittee of the Committee on Political Education governed by COPE's constitution and by-laws under its full jurisdiction.
4. The Area COPE shall select in any manner it deems proper one women who shall become a member of the Area Committee on Political Education with the title of Chairperson (or Coordinator) of the Women's Activities Department for the Area. She will be responsible for calling upon each affiliated local union to implement the Women's Activities Program as established by the Area COPE's policies.
5. The Area COPE shall send to the State COPE office the name of the woman so selected.
6. The Area COPE Women's Activities Department Chairperson shall call on each affiliated local union within her jurisdiction to select five women to represent that local union in the Area COPE's Women's Activities Department. From this group shall be elected a Vice Chairperson and a Secretary-Treasurer. The necessary and proper subcommittees shall be appointed by the Chairperson. These Officers and Committee Chairperson shall constitute the Advisory Board to the Chairperson of the Area COPE's Women's Activities Department, and shall be vested with the responsibility of recruiting other eligible women to carry out the program of their local COPE's Women's Activities Department.
7. The Chairperson and Secretary-Treasurer of the Area COPE shall be ex-officio members of the Advisory Board to the Women's Activities Department within the jurisdiction.

8. The Women's Activities Department of COPE shall be entitled to representation at all city, county and congressional district general COPE meetings on an adequate basis, as determined by the policy of the Area COPE. In all cases, however, delegates of the Women's Activities Department shall have voice and vote along with other regularly credentialed delegates.
9. No woman shall hold more than one office in the Women's Activities Department. No woman who is an officer of a political club, or a candidate of a political party, shall hold office in the Women's Activities Department.
10. Files and lists of membership made available to the Women's Activities Department by the properly constituted authorities shall only be used in conformity with the rules and policies of the Central Body, and the AFL-CIO.

VII. ENDORSEMENTS:

1. COPE is committed to the support of honest, sincere, qualified, progressive candidates for public office, who by their record have demonstrated their support of the objectives to which the AFL-CIO is dedicated. In the making of endorsements, the capability, intelligence, unqualified integrity and the past record of the individual shall be employed as criteria for endorsement.
2. Any AFL-CIO member has the right as any other American Citizen to run for public office. However, any AFL-CIO member running for public office who desire COPE endorsement, shall before filing his/her nomination, meet with the proper committee of COPE and discuss the advisability of his/her running & any other matters connected with his/her campaign. Failure to follow this procedure will preclude an endorsement to such AFL-CIO member.
3. Recommendations and endorsement shall be made exclusively by this Area COPE as provided in the rules set forth below.

No COPE officer, delegate, local union or affiliate of this COPE shall take independent action on political matters. Nor shall any COPE officer or delegate act in any official capacity whatsoever, on behalf of any political candidate, unless instructed to do so by this COPE. Upon violation of this section by any officer, delegate, or affiliated local of this COPE, the Executive Board shall be empowered to take immediate action to expel, suspend, censure, or otherwise penalize the offending officer, delegate, affiliated local union or organization. This power of the Executive Board shall not be abrogated by any other provision of this Constitution.

4. The endorsement procedure of the Local Central Body shall be as follows:
 - (a) Action by the Local Central Body to support or oppose shall be limited (1) to candidates in primary and general elections for the local office (municipal, county, school board and other local offices) within the territorial jurisdiction of the Local Central Body, and (2) to local ballot issues.
 - (b) Action to support or oppose candidates and local ballot issues and make recommendations to the State COPE as provided for in paragraph (d) of this rule shall be taken at a regular or special meeting of the Local Central Body acting on the report of the Local Central Body COPE.
 - (c) It shall be the responsibility of the Local Central Body COPE to prepare appropriate recommendations concerning candidates and ballot issues for consideration and action by the Local Central Body.

- (d) It shall be the responsibility of the Local Central Body, after considering the report of the Local Central Body COPE to make appropriate recommendations to State COPE regarding candidates for: (1) the state legislature or a State Constitutional Convention, and, (2) for Congress, for districts wholly or partially within the jurisdiction of the Local Central Body.
- (e) Recommendations to the State COPE regarding candidates for the state legislature or a State Constitutional Convention shall be made only after first considering the records of the candidates and the information available from the State AFL-CIO and the State COPE. It shall be the responsibility of each Local Central Body to cooperate with other Local Central Bodies, which share the same state legislative district to secure a joint recommendation, if possible.
- (f) Recommendations to State COPE by Local Central Bodies regarding candidates for the U.S. House of Representatives shall be made only after first considering the records of the candidates and the information available from National AFL-CIO and National COPE. It shall be the responsibility of each Local Central Body to cooperate with other Local Central Bodies, which share the same congressional districts to secure a joint recommendation, if possible.
- (g) The Local Central Body shall support the action of the National AFL-CIO on candidates for President and Vice President of the United States, and the State AFL-CIO's action on candidates for the state legislature, for delegates to a State Constitutional Convention, the U.S. House of Representatives, the U.S. Senate, governor and all statewide offices and ballot issues. No Local Central Body shall make any endorsement, direct or implied, with respect to any of the offices enumerated in this paragraph other than the recommendations provided in paragraph (c), (d), (e) and (f) of this rule.
- (h) All final actions to support or oppose candidates or ballot issues and on recommendations to State COPE by the Local Central Body shall require a two-thirds majority of the votes cast. In the absence of the two-thirds majority either to support or oppose or to recommend to State COPE, the Local Central Body shall be neutral, except that the Local Central Body shall support the final action of the National AFL-CIO and State AFL-CIO on candidates and issues covered by paragraph (g) of this rule.

VII. FINANCES:

1. Each AFL-CIO member shall be asked to contribute voluntarily at least \$1.00 per year to COPE. Of this dollar, \$.50 shall be for use of National COPE, and \$.50 shall be for use within the State and its subdivisions.
2. The Area COPE and its subdivisions are authorized to raise additional finances for their work by any legal means as long as such activity does not interfere with the National COPE drive for individual contributions.

BACK COVER:

ORDER OF BUSINESS:

1. Call to order.
2. Pledge of Allegiance to the Flag.

3. Minutes of the previous meeting.
4. Report of Committee on Credentials.
5. Obligation and seating of new delegates.
6. Communications.
7. Report of the Executive Board.
8. Reports of Standing Committees.
9. Reports of Special Committees.
10. Report of Unions.
11. Financial Report.
12. Approval of bills.
13. Unfinished business.
14. New Business.
15. Nominations.
16. Elections.
17. Installation of officers.
18. Good and Welfare.
19. Adjournment.

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

Article III, Section 8 - 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".

(President): "Delegates, I herewith hand you a copy of our Constitution. Carefully read it and you will learn your duties and privileges as a delegate to this Council. I hope you will attend all meetings of this body and take an active part in its deliberations.

Article VI, Section 9 - 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 official demand."