



*High Performance/High Value*

**Bylaws**  
of

**Carpet, Linoleum, and Soft Tile  
Workers**

**Local Union 1237**

**AFFILIATED WITH DISTRICT COUNCIL 16**

## **ARTICLE 1: BYLAWS**

These Bylaws are subordinate to the provisions of the International Constitution of the International Union of Painters and Allied Trades (hereinafter called the "International Union") and the Bylaws of District Council 16. In the case of conflict between these Bylaws and the provisions of the International Constitution, the latter shall govern. In the case of conflict between these Bylaws and the District Council 16 Bylaws, the latter shall govern.

## **ARTICLE II: NAME**

This organization, a subordinate body of the International Union and an affiliated Local Union of District Council 16, shall be known as Carpet Resilient Floor Covering & Sign Workers Local Union 1237.

## **ARTICLE III: JURISDICTION**

The territorial jurisdiction of this Local Union shall be as set forth in its Charter and as determined by the General Executive Board from time to time under Section 70 of the International Constitution, provided that the Local Union shall be guided within its jurisdiction by the directives of District Council.

## **ARTICLE IV: OBJECTS**

The objects of this Local Union shall be as set forth in the Preamble, and Section 2 and 124 of the International Constitution.

## **ARTICLE V: ELIGIBILITY FOR MEMBERSHIP**

Eligibility for membership in this Local Union shall be as set forth in the International Constitution and in policies adopted by the General Executive Board.

## **ARTICLE VI: OFFICERS**

1. Eligibility to hold office shall be as set forth in Sections 91 (b) and 210 of the International Constitution.
2. Officers of this Local Union shall be as set forth in Section 185 of the International Constitution, and their duties shall be as set forth in the following sections of the International Constitution.
  - a. President: The duties of the President shall be as set forth in Sections 189-192.
  - b. Vice President: The duties of the Vice President shall be as set forth in Section 194.
  - c. Recording Secretary: The duties of the Recording Secretary shall be as set forth in Sections 195-197.
  - d. Financial Secretary: The duties of the Financial Secretary shall be as set forth in Sections 155(d), 198-202 and 211(d).
  - e. Treasurer: The duties of the Treasurer shall be as set forth in Section 203.

- f. Trustees: The duties of the Trustees shall be as set forth in Sections 204-207.
  - g. Warden: The duties of the Warden shall be as set forth in Section 208.
3. When the District Council adopts the centralized Local Union dues, records and reporting plan outlined in Section 162 of the International Constitution, the following modifications will be in effect for dues collection, record, and reporting; and the Local Union officers' duties will be modified as outlined below.

Under the Dues Collection and Membership Reporting Plan adopted by Local Union 1237 pursuant to Article XV-A of the District Council 16 Bylaws, the Business Manager/Secretary-Treasurer of District Council 16 performs many of the functions of the Financial Secretary and Treasurer of Local Union 1237. Therefore, the duties of the Financial Secretary and the Treasurer of Local Union 1237 shall be as set forth in this Article.

Where the Financial Secretary receives dues payments from members (such as at Local Union meetings), he or she shall (i) transmit such payments to the Business Manager/Secretary-Treasurer of District Council 16 within five (5) days, (ii) provide members with a temporary receipt, a copy of which shall be transmitted to the Business Manager/Secretary-Treasurer with the payment and a copy of which shall be retained by the Financial Secretary. Such temporary receipt shall indicate only the amount of funds received and shall not indicate the member's standing or through which calendar month dues are paid.

The Financial Secretary shall retain copies of all reports and information received on a monthly basis from the Business Manager/Secretary-Treasurer of the District Council. At each membership meeting the Financial Secretary shall deliver a report of the membership, which shall include the following information:

- (i) the gross receipts of the Local Union in the prior month,
- (ii) the net receipts of the Local Union, along with the amounts of all per capita deductions made by the Business Manager/Secretary-Treasurer of District Council 16 and any other deductions,
- (iii) the overall membership of the Local Union, with the gain or loss in membership in the prior month noted,
- (iv) the number and names of members on application and those initiated,
- (v) the number and names of members suspended and reinstated, and
- (vi) the names and number of clearance cards deposited and issued.

The Treasurer shall retain copies of all reports and information received on a monthly basis from the Business Manager/Secretary-Treasurer of District Council 16. At each membership meeting,

the Treasurer shall deliver a report to the membership, which report shall include the following information:

- (i) list all deposits made to the Local Union account, if any,
- (ii) a copy of the Local Union cash disbursement journal, if applicable,
- (iii) list of all payments from the District Council made on behalf of the Local Union, from the funds collected by the District Council for the Local Union.

Notwithstanding anything to the contrary in this Article, the Financial Secretary, the Treasurer and all other Local Union officers shall comply with all provisions of the Plan, as amended from time to time by the General Secretary-Treasurer.

The Financial Secretary shall perform the Financial Secretary duties outlined in Section 155(d) and 211 (d) of the General Constitution from information provided the Financial Secretary by the Business Manager/Secretary-Treasurer of the District Council.

The Local Union shall use the IUPAT Integrated Membership Systems (IMSe) computer systems or other systems approved by the General Secretary-Treasurer for dues collection, member records, and member activity.

#### **ARTICLE VII: DELEGATES**

All delegates (other than delegates to the General Convention) shall be elected at the June elections in accordance with Article XI of these Bylaws.

1. Members of Local Union 1237 who become District Council 16 (Business Representative, Organizer) shall be an automatic Delegate to all Conferences, Conventions (except the IUPAT General Convention), District Council 16 and all State and Local Central bodies.
2. There shall be up to (2) delegates to all affiliated Building Construction Trades Councils and Central Labor Bodies.

#### **ARTICLE VIII: EXECUTIVE BOARD**

1. The President, Vice President, Recording Secretary, Financial Secretary, Treasurer, 3 Trustees, 2 At-large Executive Board Members and a Warden shall constitute the Local Union Executive Board.
  - a. The Executive Board of this Local Union shall be as set forth in Section 185(c) of the International Constitution.
2. Duties of the Executive Board:
  - a. To enforce the laws of the Local Union between meetings.
  - b. To handle all matters delegated to the Executive Board by the members voting at regular or special called meetings.

- c. To review all requests for donation, investigate the same and submit its findings and recommendations for membership action.
- d. The Executive Board shall be vested with the authority of recommendation only, unless otherwise specifically authorized by the Local Union membership voting at a regular or special called meeting; provided, however, that during the interim between meetings it shall be authorized to act for the Local Union in cases of emergency, subject to review at the next regular meeting.
- e. To serve the interests of the membership.
- f. To act as an Examining Board.
- g. To oversee the financials and investments of the Local Union.

**ARTICLE IX: COMPENSATION OF OFFICERS, DELEGATES AND COMMITTEE MEMBERS**

1. Officers:

- a. President- Shall be credited an equivalent to one months over-the-counter dues per Executive Board attended.
- b. Vice President - Shall be credited an equivalent to one months over-the-counter dues per Executive Board attended.
- c. Recording Secretary -Shall be credited an equivalent to one months over-the-counter dues per Executive Board attended, plus (fifty dollars) \$50.00 per General Membership Meeting Attended.
- d. Financial Secretary - Shall be credited an equivalent to one months over-the-counter dues per Executive Board attended, plus (thirty-five dollars) \$35.00 per General Membership meeting Attended.
- e. Treasurer- Shall be credited an equivalent to one months over-the-counter dues per Executive Board attended.
- f. Trustees - Shall be credited an equivalent to one months over-the-counter dues per Executive Board attended.
- g. Warden - Shall be credited an equivalent to one months over-the-counter dues per Executive Board attended.
- h. At-large Executive Board Members -Shall be credited an equivalent to one months over-the-counter dues per Executive Board attended.

2. Delegates:

- a. To District Council Delegates- not to exceed (forty-five dollars) \$45.00 per month for meal and travel allowance.
- b. To Central Body Delegates- not to exceed (twenty-five dollars) \$25.00 per month for meal and travel allowance.
- c. To Conventions-Conferences, etc. Delegates elected and/or appointed by this Local Union to attend conventions, conferences, etc., shall in addition to wages lost, receive the actual cost of reasonable travel, reasonable hotel room and the amount of one hundred

dollars (\$100.00) per day expense money. Under extenuating circumstances, additional daily expense may be granted by the District Council.

3. Committee Members: Shall be reimbursed for all lost wages whenever applicable. Reimbursements shall be based on the members current wage rate.

#### **ARTICLE X: BONDS**

Officers of this Local Unions shall be bonded in accordance with Section 59(b) and (c) of the International Constitution and as required by law.

#### **ARTICLE XI: ELECTIONS**

1. Elections shall be held under the procedures and provisions as set forth in Sections 209-212 of the International Constitution.
2. The election of Local Union Officers and Delegates to District Council shall be held at the last meeting in June, and nominations for the same shall be held the last meeting in May, as per Section 209(a) of the International Constitution. Delegates to the District Council 16 shall be elected to a four (4) year term. Local Union officers shall be elected to a three (3) year term.
3. Delegates to the General Conventions of the International shall be elected as set forth in Section 28 of the International Constitution.

#### **ARTICLE XII: VACANCIES**

Vacancies occurring among the officers shall be filled in accordance with Section 215 and 216 of the International Constitution.

#### **ARTICLE XIII: DUES, FEES, ASSESSMENTS, MEMBER BENEFIT FUND AND**

##### **LOCAL UNION DEFENSE FUND**

1. Dues:
  - a. Dues shall be as follows:
    - 1) All members (Regular/Apprentices/Industrial) shall pay Regular Dues equivalent to the total of all per capita taxes approved and paid for by the Local Union on behalf of each member rounded upward to the nearest dollar. In no case shall the Regular Dues exceed the maximum allowance under Section 92 of the International Constitution. Regular Dues shall be payable to the Local Union on a quarterly basis.
    - 2) Dues shall increase by the amount of any increase in the per capita and Death Benefit payment due to the International Union and such increase shall be effective the date the increase in the payments due to the International Union becomes effective.
  - b. The dues payment required by Sub-section (a) includes the Death Benefit payment called for by Section 17(b) and 18 of the International Constitution and the Rules and Regulations of the International Union's Death Benefit Fund. Accordingly, members not

covered by the Death Benefit Fund pursuant to the foregoing provisions (example: members who are 60 years of age or over when initiated; or Life Members working at the trade who elected non-participation) will be required to pay dues specified in sub-section (a) less the current Death Benefit Payment.

- c. Quarterly Working Cards shall be obtained in accordance with Section 119 of the International Constitution.
  - d. Administrative Processing Fees: There shall be no initiation fees for membership in this Local Union. New member/candidates and apprentices shall be charged an Administrative Processing Fee in accordance with the provisions set forth in Sections 92 and 93 of the International Constitution.
  - e. Life membership fees shall be in accordance with Section 98 of the International Constitution.
  - f. There will be a thirty dollar (\$30.00) assessment for all checks returned from the bank for non-sufficient funds. In addition the Union will not accept checks on behalf of the member for a period of one (1) year.
2. Clearance Cards:

Clearance Card fees and rules shall be as set forth in Section 233-250 of the International Constitution.

3. Assessments and Funds:

- a. Assessments can only be levied in accordance with Section 92 of the International Constitution.
- b. International Union Death Benefit Fund: The International Union's Death Benefit Fund is governed by Section 287-289 of the International Constitution, and the rules and regulations of the fund. Members should refer to the pamphlet "Rules and Regulations covering the Death Benefit Fund and the former Death and Disability Fund."
- c. All monies due the International Union for per capita tax, Administrative Processing Fees or application fees, Death Benefit Fund payments, reinstatements, clearance card fees, life membership fees and supplies shall be forwarded to the General Secretary-Treasurer immediately after the close of the month, along with required reports. Remittances must be made by express or post office money order, check, or bank draft payable to the IUPAT.
- d. Should a majority of the Trustees doubt the accuracy of any bill from the General Secretary-Treasurer, the Local Union shall pay the same under protest, and such protest shall be the first business taken up by the General Executive Board at their next meeting.
- e. Each month the Local Union shall hold in its Treasury, as a standing appropriation to be forwarded to the General Secretary-Treasurer, a sum equivalent to its monthly per capita tax, Death Benefit fund obligations, IUPAT Local Unions and District Council Pension Fund payments and all other payments that must be made to the International Union as

required under Section 177 of the International Constitution. Such required payments shall be made prior to allowing other expenditures.

- f. The funds and property of a Local Union may only be used for such purposes as are specified in the International Constitution, the District Council Bylaws, these Bylaws, and as approved by a majority of the Local Union members present at a meeting at which the question is presented. Recurring and fixed expenses may be authorized by a single vote of the membership. Local Union's shall not make any non-per capita tax expenditures in excess of \$5,000.00 without prior written approval of the District Council Business Manager/Secretary-Treasurer.
  - g. On no consideration shall money from the Local Union Treasury be loaned or donated to members (strike, lockout and regularly established sick benefits excepted), provided that the Local Union may levy an assessment upon the membership to provide funds to relieve distress among members totally disabled from earning a living on account of injuries or sickness incurred while working at the trade. Before any such assessment is levied (1) all members shall be notified by mail that the proposed assessment will be considered at the next meeting and, (2) the majority of members present and voting must approve the assessment in a secret ballot vote.
  - h. There is an established Death Benefit for Local 1237 Eureka members known as Painters 1034 16. The fund shall provide a benefit in the amount of \$1,000 for members in good standing. Every Eureka member by virtue of membership shall be a contributor to the Death Benefit Fund and therefore shall be assessed the amount equal to the monthly premium in addition to the basic over-the-counter dues. All benefits shall be payable to the most current beneficiary card on file.
  - i. There is an established Death Benefit for Local 1237 Sacramento members known as Carpet Resilient Floor Covering Local 1237. The fund shall provide a benefit for members in good standing in the amount of \$10,000 for Active and \$5,000.00 for Retirees. Every member by virtue of membership shall be a contributor to the Death Benefit and therefore shall be assessed the amount equal to the monthly premium in addition to the basic over-the-counter dues. All benefits shall be payable to the most current beneficiary card on file.
  - j. There is an established Death Benefit for Local 1237 Sacramento members known as Valley Floor Covering Industries Local 1237. The fund shall provide a benefit in the amount of \$15,000.00 for active members in good standing; the benefit amount reduces 65% at age 65 and reduces 50% at age 70. Active members shall be assessed the amount equal to the monthly premium in addition to the basic over-the-counter dues. All benefits shall be payable to the most current beneficiary card on file.
4. Owner Member Dues:

All Owner Member shall pay monthly over-the-counter dues of sixty two dollars (\$62.00). Owner Member Dues shall be payable to the Local Union on a quarterly basis.



5. 1237 Member Benefit and Local Union Defense Fund:

The object of this fund is for the aiding of members who are in distress and all expenditures deemed to be in the defense of the Local Union on behalf of its members. The Fund shall be governed by the following rules:

1. Every working member paying Local 1237 Membership Benefit Fund dues check off shall become eligible for benefits from the fund. Members shall be in good standing and in accordance with these Bylaws to be eligible for benefits from the fund.
2. 0.3% of the Taxable Net Wage shall be allocated for the purpose of funding the 1237 Members Benefit and Local Union Defense Fund.
3. Any member who cannot work due to illness or disability for a period of not less than 30 days or who becomes unemployed through no fault of their own for a period of not less than 90 days shall have their basic monthly dues paid for a period not to exceed 4 months or until a disability settlement is made, whichever is less. (social security, pension, state compensation, etc.). Attending doctors certificate must be forwarded to the Union office before a claim will be considered. The certificate must be filed within 60 days from the date of illness or disability.
4. To be eligible for Dues Assistance from this fund a member must have paid into this fund for a minimum of 12 months. There also must be a minimum of 12 months between each occurrence and be a member in good standing.
5. The eligibility of all claims upon the fund shall be determined by the Executive Board.
6. The Financial Secretary shall give a financial and activity report during the regular business at the monthly Union meeting.
7. Unemployed members must be on the current out of work list and make himself/herself available for employment at all times and be current on their dues to be considered a member in good standing.
8. A minimum of one hundred dollars (\$1 00.00) shall be held in the reserve to maintain an open account for the Fund by the Union at the time of death will be a Bible or donation to surviving spouse or beneficiary. There shall be a five (\$5.00) assessment from the membership upon the death of a local1237 member in good standing; one thousand dollars \$1,000.00 shall be donated to the surviving spouse or beneficiary.
9. Defense of the Union is defined as related expenses for pickets, including but not limited to mileage where applicable, attorney fees, supplies including promotional items[events, donations and other necessary payments on behalf of the defense/promotion of the Union and its membership.
10. Any fine or assessment on a member shall be placed into this Fund.
11. Pickets shall receive a minimum of fifty dollars (\$50.00) per day to cover expenses or as may be determined during general strike or lockout.

12. A member who contributed to this fund shall not be deemed to have any vested interest in the benefits payable under this fund. A member shall only be entitled to benefits per the eligibility rules and only to the extent there are assets in this fund to pay benefits.
13. A meal shall be made available to the membership at the local Executive Board and Local Union meetings.
14. The first Tuesday in December a dinner shall be held for all members in good standing. This dinner is paid for by the Benefit Fund.
15. There will be a ten dollar (\$10.00) assessment for not attending one (1) meeting per quarter, unless meetings are not held on a monthly basis. An exception may be considered when a member submits in written form to the Executive Board, no later than five (5) calendar days after the missed meeting. All decisions of the Executive Board are final.
16. There will be a fifty dollar (\$50.00) assessment to any member if his or her cell phone rings during any Union meeting. All monies collected shall be forwarded to Painters and Allied Trades Children's Hope Fund.
17. All assessments and fees will be credited to the member's ledger prior to quarterly dues as set forth in Section 202 of the International Constitution

#### **ARTICLE XIV: MEETINGS**

1. Regular Meetings: The Regular Meetings of this Local Union shall be held the first Tuesday of each month. Meetings will be called to order promptly at 5:30 p.m. Eureka meetings on rotating schedule.
2. Special Meetings: Special meetings of this Local Union may be called by the President as he or she deems necessary. Special meetings shall also be called as required by Section 191 of the International Constitution.
3. Quorum: A quorum for a membership meeting shall consist of seven (7) members, provided that five (5) members shall constitute a quorum if the Local Union's membership is fewer than twenty-five (25) members.
4. Members Rights: Members in attendance at meetings shall have the right to express their views, arguments or opinions upon any business properly presented before the meeting, subject to these Bylaws and the rules and regulations adopted by the Local Union pertaining to the conduct of meetings, but no member in exercising such rights shall evade or avoid his or her responsibility to the organization as an institution or engage in or advocate any conduct that would interfere in the Local Union's performance of its legal or contractual obligations, or conduct him or herself in an unruly, or boisterous manner.
5. Recording Devices: No member shall be permitted to use recording devices during any portion of any meeting in the Local Union.
6. Executive Board: The Executive Board shall meet on the first Monday of each month or at the call of the President who shall preside at all meetings. The meeting shall be called to order promptly at 5:30 P.M. Five (5) members of the Board shall constitute a quorum.

## **ARTICLE XV: COMMITTEES**

There shall be a standing Bylaws Committee whose duties and functions shall be as set forth in Section 169(b) of the International Constitution. The President shall appoint the Negotiations Advisory Committee. Their duties shall be to make recommendations to the District Council 16 Business Manager/Secretary Treasurer.

1. The first named person on a committee shall be its Chairman until said committee meets. Its members may then elect a chairman.
2. No member shall be exempt from serving on a committee unless excused by a vote of the Union, or if he/she is a member of another committee. No member can be appointed in his or her absence.

## **ARTICLE XVI: CONTRACTORS**

1. An employer is one who, in relation to any corporation, company, partnership, firm or other business entity, is a substantial owner, partner, officer, director, incorporator, managerial employee, supervisor (as defined by the National Labor Relations Act or Provincial law) or in a permanent, policy-making position.
  - a. Employers shall be eligible for membership, but they must comply with the trade rules and working conditions of the locality in which the work is being performed, must, insofar as is consistent with applicable federal and state, provincial and/or territorial laws, hire only members of this International Union, and must pay themselves and their employees the wages and benefits established by the applicable area collective bargaining agreement.
  - b. No employer shall be eligible or permitted to hold office, serve on an executive board, act as delegate, vote on any questions pertaining to hours, wages, benefits or conditions of employment, vote at elections of officers, delegates, or attend meetings at which contract proposals are discussed or voted on or at which the nomination or election is held for any elected position.
  - c. No Owner Member shall be allowed to work as a journeyperson for another contractor or employer.

## **ARTICLE XVII: MEMBERSHIP**

1. An applicant shall be considered a member when meeting all the requirements set forth in the International Constitution.
2. A member may lose his/her good standing in the organization by suspension or expulsion or other disqualification for membership after appropriate proceedings consistent with the provisions of the International Constitution or by non-payment of dues as provided in Sections 116-117 of the International Constitution.

A member who loses his or her good standing status because of his or her failure to pay dues or other obligations as required by the International Constitution and these Bylaws, but who has not been expelled from membership, may reinstate his or her good standing for the purpose of attending Local Union meetings and voting at elections, by paying all delinquent dues and other financial obligations prior to such meeting and election as provided in Section 118 of the International Constitution. Expelled members may be reinstated only in accordance with Section 276 of the International Constitution.

Quarterly dues payments must be made on or before the 20th day of the first month of the quarter to maintain good standing for the entire quarter period.

Resignation from membership is governed by Section 120 of the International Constitution.

3. Member's Responsibility:

- a. Every member by virtue of membership in this Local Union is obligated to adhere to and follow the terms of these Bylaws, the District Council Bylaws and the International Constitution with respect to the members' rights, duties, privileges and immunities conferred by them and by statute. Each member shall faithfully carry out such duties and obligations and shall not interfere with the rights of other members.
- b. Every member authorizes the District Council to act as his or her exclusive bargaining representative with full and exclusive power to execute agreements with his or her employer governing terms and conditions of employment and to act for the member and have final authority in presenting, processing and adjusting any grievance, difficulty or dispute arising under any collective bargaining agreement or out of the member's employment with such employer in such manner as it deems within its discretion to be in the best interest of the District Council. The District Council and its officers, and agents may decline to process any such grievance, complaint, difficulty or dispute, if in their sole discretion and judgment, such grievance, complaint or dispute lacks merit, or that such action would not be in the best interests of the District Council.
- c. No member shall interfere with the elected officers or representatives of the International Union, the District Council or this Local Union in the performance of their duties. Each member shall when requested, render such assistance and support in the performance of such duties as many be required by them provided that this does not interfere with their individual rights as members. Each member shall adhere to the terms and conditions of pertinent collective bargaining agreements and shall refrain from any conduct that would interfere with the International Union, District Council or Local Union's performance of its legal or contractual obligations.
- d. Every member shall be required to assist the International Union, the District Council and this Local Union, as well as their officers and representatives, by engaging in picketing, hand billing, salting and other organizing activities, and attending education and training as directed by the International Union, the District Council or

the Local Union officers. No charges shall be filed or processed against any member for his or her decision to accept employment with an approved, targeted non-signatory employer for the purpose of organizing.

- e. All new members of this Local Union shall attend a new member orientation class offered by the District Council within ninety (90) days of being initiated.
- f. Any member who unduly disturbs the harmony of a meeting or who uses profanity or unbecoming language shall be admonished by the chairman, and if he or she continues to offend shall be fined as per section 192 of the International Constitution.

### **ARTICLE XVIII: GENERAL/TRADE RULES**

The members of this Local Union will observe and follow all work rules as provided for in the Collective Bargaining Agreement and/or District Council Bylaws.

### **ARTICLE XIX: CHARGES AND TRIALS**

All charges preferred by members of this Local Union shall be referred to the District Council 16 Trail Board for disposition and shall be processed in accordance with the International Constitution.

Each member of this Local Union shall have the right to fair treatment in the application of Local Union rules and laws in accordance with the International Constitution and these Bylaws. In the application of all rules and procedures relating to Local Union discipline, the essential requirements of due process of law notice, hearing, and judgment based upon the evidence shall be observed without, however, requiring technical formality followed in courts of law.

### **ARTICLE XX: EXHAUSTION OF REMEDIES**

No member or officer shall resort to any court or agency until all forms of relief and avenues of appeal, as provided by the International Constitution, have been exhausted, unless otherwise provided by statutory law.

### **ARTICLE XXI: PROPERTY**

1. The funds and property of the Local Union shall be governed by Sections 179-181 of the International Constitution.
2. No property of the Local Union, and no property in the possession, custody or control of this Local Union or any of its officers or employees, and no property held in trust, express or implied, which was created or established by this Local Union and whose primary purpose is to provide benefits for the members of the Local Union or their beneficiaries, shall be given, contributed or donated either directly or indirectly, to aid or assist, or be expended in behalf of, any seceding, dual or antagonistic Labor Organization, nor to any Local Union which is in violation of the International Constitution.

## **ARTICLE XXII: AGENCY**

Neither this Local Union, nor any of its officers or employees, has any power to make any representation, contract, or agreement, nor to incur any liability, which shall be binding upon the International Union without the written consent of the General President or his designee. Neither this Local Union, nor any of its officers or employees has been authorized or empowered to act as agent of the International Union and shall not be deemed an agent of the International Union unless expressly authorized in writing by the General President or his designee to act in that capacity.

## **ARTICLE XXIII: AMENDMENTS**

Any amendment to these Bylaws shall be done in accordance with the procedures set forth in section 169 of the International Constitution.

## **ARTICLE XXIV: STANDING RULES FOR UNION MEETINGS**

Rules for the conduct of Local Union meetings are contained in the "Order of Business for Local Unions," and in "Parliamentary Rules and Rituals" set forth in the International Constitution.

## **ARTICLE XXV: INTERNATIONAL UNION CONSTITUTION**

The Local Union acknowledges that the International Constitution of the International Union supersedes any provisions of these Bylaws which are inconsistent with the Constitution. The Local Union further acknowledges that the Bylaws of the District Council shall govern and supersede these Bylaws to the extent that any provisions set forth herein are inconsistent with such Bylaws.

## **ARTICLE XXVI: SAVING CLAUSE**

1. The provisions of these Bylaws relating to the payment of dues, assessments, fines or penalties, shall not be construed as incorporating into any Union-security contract those requirements for good standing membership which may be in violation of applicable law, nor shall they be construed as requiring any employer to violate any applicable law. However, all financial obligations imposed by or under the International Constitution, the District Council Bylaws and these Local Union Bylaws (and in conformity therewith) shall be legal obligations of the members upon whom imposed, and enforceable in a court of law.
2. If any provision of these Bylaws shall be declared invalid or inoperative, by a competent authority of the executive, judicial or administrative branch of the federal or state government, the Local Union Executive Board, subject to approval of the Local Union, shall have the authority to suspend the operation of such provisions 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 article or section of these Bylaws should be held invalid by operation of law or by any tribunal of competent jurisdiction, the remainder of these Bylaws or the application of such article or section to persons or circumstances other than those as to which it has been held invalid, shall not be affected thereby.