

**CONSTITUTION  
AND  
GENERAL BY-LAWS**

**AMALGAMATED TRANSIT UNION  
LOCAL 1277  
AFL-CIO-CLC**



**JUNE, 2007**

# **CONSTITUTION AND BY-LAWS**

## **AMALGAMATED TRANSIT UNION LOCAL 1277**

### **ARTICLE 1**

#### **NAME**

The Local Union shall be known as the Amalgamated Transit Union Local 1277. of the Amalgamated Transit Union. AFL-CTO.

### **ARTICLE 2**

#### **PREAMBLE**

The Amalgamated Transit Union, together with its constitution and by-laws, was established in order to secure and defend our rights, safe-guard our interests as working men/women, create an authority whose seal shall constitute a certification of character, intelligence and skill, build up an organization whereby working members of our craft can participate in the discussions of those particular problems upon the solution of which depends our welfare and prosperity; to encourage the principle and practice of conciliation and arbitration in the settlement of all differences between Labor and Capital; establish order; insure harmony; promote the general cause of humanity and brotherly love and secure the blessings of friendship equality and truth.

## **ARTICLE 3**

### **PRINCIPLES**

We hold it as a sacred principle that trade union. men/women. above all others, shall set a good example as good and faithful workmen/work-women. performing their duty to their employer as well as to their organization.

## **ARTICLE 4**

### **MEMBERSHIP**

Section 1 - Qualifications for membership shall be in compliance with the International Constitution and General Laws.

Section 2 - The initiation fee shall be \$300.00 (three hundred dollars). The initiation fee may accompany the application for membership and be paid at the time application is presented to this Local, or if the applicant chooses, may be paid by the means of payroll deduction in six (6) equal installments of \$50.00 (fifty dollars) each, beginning with the last half payroll period following application for membership.

Section 3 - (a) Dues rates will be adjusted each July 1 in the amount required by the Constitution and General Laws of the Amalgamated Transit Union. As of July 1, 2007, the monthly dues rate for members employed at Los Angeles County Metropolitan Transportation Authority is \$51.15; for members employed at Riverside Transit Agency is \$38.08; for members employed at SunLine Transit Agency is \$32.68; for members employed at Laidlaw Educational Services is \$39.80. The rates for retired members who retire and leave active service from their employer after January 1, 2008 shall be \$6.00 per month. The monthly dues will be raised an additional 25 cents every January 1 thereafter. The rates for non-members, whether fee objectors or agency fee payers, will be set by the Executive Board at the maximum amount allowable up to the regular dues rate.

- (b) For the purpose of aiding in the organizing of non- union prop-  
erties. the Executive Board will be empowered to reduce the ini-

tiation fee for any block of members (on the original date of affiliation of such property only) to a sum of not less than \$10 .00 per member. Further, the amount of dues to be paid by such groups will be equal to two hours paytime for the top operator/or mechanic classification, whichever is the lesser. that is covered by the collective bargaining agreement in question, with adjustments each July 1st, in no event shall this provision apply to the same membership group for a period of more than three (3) years.

Section 4 - New employees who will come under the jurisdiction of the Union contract between the employing company and the Union shall make application for Union membership immediately after being hired. New applicants making application for membership will be registered with the International Union as set forth below after the application has been found to be in good order and has been accepted by the Local Union at a regular membership meeting. All applicants making application for membership from the first day of each month to the twentieth day of each month, inclusive. shall be registered and enrolled as of the first day of the month following. All applicants making application after the twentieth day of the month shall be registered and enrolled as of the first day of the second month following.

Where payment of dues shall be by payroll deduction. deductions shall be as follows: Upon receipt of application of membership and authorization of payroll deduction, the Recording-Financial Secretary will request the employing company to deduct dues beginning with the month application is made. If the application is made from the first to the twentieth of the month, it shall be applied as dues payment for the month following. If application is made after the twentieth day of the month, dues deductions shall begin the following month.

Section 5 - In accordance with the Management Labor Relations Act of 1947, as amended. and in accordance with the working Agreement. all fees and dues paid prior to thirty (30) days after employment shall be refunded if member terminates his employment within (30) day period. No withdrawal cards shall be issued unless all dues and initiation fees are paid in full at the time the withdrawal card is to be issued.

Section 6 - All Officers requiring a bond shall be bonded in accordance with the Section 502 of the Labor Management Reporting and Disclosure

Act or 1959. Expense for this bond will be borne by the Local.

## **ARTICLE 5**

### **OFFICERS**

Section 1.- The Officer of this Local shall consist of a President/Business Representative: Vice-President/ Assistant Business Representative: Recording-Financial Secretary/Assistant Business Representative: Treasurer and Executive Board Member at Large. all elected from and *by* the membership at large.

Section 2 - There shall be an Executive Board composed of the officers of the Local enumerated in Section 1 of this Article 5.

Section 3 - The President/Business Representative; the Vice-President/Assistant Business Representative and the Recording-Financial Secretary/Assistant Business Representative shall be full time employees of the Local Union.

Section 4 - There shall be Stewards of the various departments and divisions.

Section 5 - The term of office shall be for a period of three (3) years.

## **ARTICLE 6**

### **DUTIES OF THE PRESIDENT/ BUSINESS REPRESENTATIVE**

Section 1 - It shall be the duty of the President to preside at all meetings of the Local Union; to preserve order and enforce the Constitution and By-laws; to see that all officers perform their respective duties and appoint all committees not otherwise provided for. He/she shall decide all questions of order, subject to an appeal to the Local. He/she shall have a right to vote only in case of a tie. when he/she shall cast the deciding vote. He/she shall announce the result of all votes; he/she shall enforce all fines and penalties; he/she shall have power to call special meetings when requested by one-third or more members in writing; he/she shall sign all

orders on the treasury for such money as shall be ordered by the Constitution and By-Laws or by vote of the Local be ordered paid; sign all checks and drafts on the banks; he/she shall also serve as Business Representative and shall perform such other duties as the Constitution and By-laws of the Local may require. He/she shall appoint and supervise any staff persons whenever such a position is authorized by the Executive Board. Such staff persons shall serve at the pleasure of the President or under such contractual limitations as is authorized by the Local.

## **ARTICLE 7**

### **DUTIES OF THE VICE-PRESIDENT**

Section 1 - It shall be the duty of the Vice-President/Assistant Business Representative, in the absence of the President to preside and to perform all duties pertaining to the office of President and to render such assistance as may be required of him/her. In case of a vacancy in the President's office he/she shall preside until the Local elects a President to fill such vacancy. He/she shall also serve as Assistant Business Representative.

## **ARTICLE 8**

### **DUTIES OF THE RECORDING-FINANCIAL SECRETARY**

Section 1 - It shall be the duty of the Recording-Financial Secretary/Assistant Business Representative to keep a correct account of the proceedings of the Local and of the meetings of the Executive Board. He/she shall call the roll of Officers and carry on all necessary and proper correspondence. He/she shall sign all orders on the treasury for such money as shall be ordered by the Constitution and By-laws or by vote of the Local be ordered paid, and sign all checks and drafts on the bank.

Section 2 - He/she shall collect all moneys due the Local and deposit same in the appropriate bank account. He/she shall see that the Local is kept in good standing with the International Union and all central bodies with which the Local is affiliated. He/she shall see that a proper and correct entry of all dues assessments and initiation fees received by the Local

is made. He/she shall see that a proper and correct entry is made of all newly initiated members, reinstatements, suspensions, withdrawals and deaths each month. He/she shall report to the Local at each regular meeting the receipts, expenditures, deposits and balances. He/she shall deliver his books to a Certified Public Accountant, decided upon by the Executive Board and approved by the Local, for semi-annual audit. He/she shall perform such other duties as shall pertain to his office and deliver to the Local at the expiration of his term of office all properly entrusted to his care. He/she shall also serve as Assistant Business Representative.

## **ARTICLE 9**

### **DUTIES OF THE TREASURER**

Section 1 - It shall be the duty of the Treasurer to sign all checks or drafts on the bank jointly with the President/Business Representative and the Recording-Financial Secretary/Assistant Business Representative and to attend all Executive Board Meetings.

## **ARTICLE 10**

### **DUTIES OF THE EXECUTIVE BOARD**

Section 1 – It shall be the duty of the Executive Board to supervise and direct the management of the Local. They shall have the authority to submit the results of negotiations on agreements or other matters of importance to the entire membership affected for a referendum vote of the members to be conducted under conditions and at times and places determined by the Executive Board. They shall meet regularly on the most convenient day during the week of the Central Los Angeles Area Membership Meeting. Special meetings shall be called by the President when it is deemed necessary. The majority of the Board shall constitute a quorum to do business.

Section 2 - The Officers and Executive Board of the Local Union shall direct and handle the affairs of the Local Union subject to the laws and rules of this Union and in conformity with the instructions of the Local Union. Where agreements with employing company provide for arbitra-

tion, they shall see that the arbitrators are appointed and shall conduct the arbitration in accordance with the laws of the Union and the instructions of the Local Union. It shall be their duty at all times to report all of their acts and doings to the meetings of the Local Union through the medium of complete and accurate minutes as submitted by the Recording-Financial Secretary and be subject to and carry out all of the instructions of the Local Union.

Section 3 - The Executive Board shall have the authority to determine the number of people to serve on committees for all properties under the jurisdiction of the Local.

Section 4 - Any member of the Executive Board absenting himself/herself from a Board meeting, unless excused by the President, shall forfeit his/her day's pay for the same.

## **ARTICLE 11**

### **DUTIES OF THE CONDUCTOR- WARDEN-SENTINEL**

Section 1 - A Conductor-Warden-Sentinel shall be appointed at each meeting to serve for that meeting only and the office will be so conducted as to conform with the ritual of the Union.

## **ARTICLE 12**

### **STEWARDS**

Section 1 - The members of each location or division shall elect from each location or division one (1) location or division steward.

Section 2 - It shall be the duty of the Steward to hear grievances or complaints when presented to them by members at their respective location or division. If unable to satisfactorily settle a grievance or complaint, he/she shall immediately call it to the attention of the Business Representative of the Local giving a full report on same.

Section 3 - The Stewards shall attend meetings and perform their duties

in accordance with the directions and instructions of the Executive Board and Business Representative of the Local.

## ARTICLE 13

### NOMINATIONS

Section 1 - The nomination of candidates for offices in the Amalgamated Transit Union Local 1277 shall take place at the regular monthly meetings during the month of November. each three years, beginning November, 1964.

Section 2 - The President/Business Representative. Vice-President/ Assistant Business Representative. Recording-Financial Secretary/ Assistant Business Representative. Treasurer and Executive Board Member At Large may be nominated by any member in good standing of Local 1277.

Section 3 - (a) A Steward must be nominated by a member from his/her respective location.

- (b) No nominees name shall be placed on the ballot unless his/her written acceptance is in the hands of the Recording-Financial Secretary within seventy-two (72) hours after said nomination meeting.

Section 4 - Any member, to be eligible as a candidate for office in Local 1277 must:

- (a) Have attended not less than six (6) regular meetings each year during the twenty-four months immediately prior to election, except when such attendance was impossible by reason of confining physical disability or having worked at an occupation under the jurisdiction of the International Union, the burden of proof to be on the member nominated. This meeting requirement will not be enforced unless authorized by the ATU International Constitution and General Laws.
- (b) Have been a member in continuous good standing in Local 1277 for a period of two (2) years or more immediately prior to nomination.

Section 5 - A nomination, having been made from the floor, must be written and signed by the nominator and immediately placed on file with the Recording-Financial Secretary.

Section 6 - When only one (1) eligible candidate is nominated for an office, the Recording-Financial Secretary shall be instructed to cast a unanimous vote for the candidate and he/she shall be declared elected.

Section 7 - (a) In the event the office of either President/Business Representative; Vice-President/Assistant Business Representative; Recording-Financial Secretary/Assistant Business Representative; Treasurer or Executive Board Member At Large becomes vacant, nominations of candidates for the vacant office shall take place at the next regular membership meeting and the election held in accordance with Article 15 of these laws.

- (b) The Executive Board shall appoint officers, subject to the approval of the membership, to serve the unexpired term of any vacant office other than those mentioned in Section 7(a) above.

Section 8 - (a) The Recording-Financial Secretary shall post the names of all candidates on the bulletin boards at all locations within five (5) days after the nomination meetings.

- (b) The Recording-Financial Secretary shall have ballots printed containing the names of all eligible candidates nominated. The Election Committee shall be supplied with ballots in sufficient number to be furnished to each member eligible to vote thereon.
- (c) The election and counting of ballots shall be under the supervision of the Election Committee consisting of at least three (3) members to be appointed by the President subject to the approval of the membership.

## ARTICLE 14

### ELECTIONS

Section 1 - The election of Officers of Local 1277 shall be by means of the direct primary mail ballot.

- (a) The ballots for candidate in the primary election shall be mailed out on the twenty-fifth (25th) day of November and mailed back to the post office box. The election committee will pick up the ballots at 10:00 AM on December 7th. (In the event the post office is closed, they will be picked up the following day).
- (b) Each member in good standing shall be entitled to cast one (1) ballot for the candidate he/she desires for each and every office in accordance with these By-laws. and the two (2) candidates receiving the highest number of votes for each and every office at this primary election shall be the regular nominees on the ballot at the General election except as provided in (c) below:
- (c) Any candidate receiving the majority of all ballots cast at this election shall be declared elected.
- (d) The ballots for candidates in the general election shall be mailed out on the twelfth (12th) day of December and mailed back to the post office box. The Election Committee will pick up the ballots at 10:00 AM on December 26th. (In the event the post office is closed. they will be picked up the following Jay).

Section 2 - If any of the dates herein specified fall on a Saturday. Sunday or a day recognized as a Holiday, the Election Committee shall decide to use the last working day immediately prior to or subsequent to the date affected as an alternate.

## ARTICLE 15

### RULES AND REGULATIONS FOR HOLDING ELECTIONS

Section 1 - The election of Officers shall be conducted in strict accordance with the following rules:

- (a) The President, at the 10:00 AM session of the nominating meeting held in the Central Los Angeles Area, shall appoint an Election Committee consisting of at least three (3) members, subject to the approval of a majority of those attending the nominating meeting.

Section 2 - Each member of this Local in good standing, except inactive members, in accordance with the Constitution and By-laws of the International and whose name appears upon the voting list prepared by the Recording-Financial Secretary, shall be entitled to vote at all elections of this Local.

- (a) No names will be placed upon the voting list by the Recording-Financial Secretary other than those appearing as members upon the books of this Local.
- (b) No votes will be accepted by election inspectors unless names of members appear on the voting list and no names shall be added after voting list has been given by the Recording-Financial Secretary to the election inspectors unless after checking with the Union office it is found an error has been made and a member's name who is entitled to vote does not appear on voting list. Such name may then be added on instruction of the Recording-Financial Secretary.
- (c) In accordance with paragraph (b) the Recording-Financial Secretary will furnish the Election Committee with list of all eligible voters.
- (d) It shall be the duty of the Chairman of the Election Committee to check these various voting lists to insure no duplication of ballots.

- (e) It shall be the duty of the Recording-Financial Secretary to provide the Election Committee with sufficient ballots for each and every member entitled to vote.

Section 1 - Procedures of voting. by mail.

- (a) The Election Committee shall prepare three envelopes for each eligible voter. one blank. one prepaid business reply envelope, one addressed to the individual member at his last known address. A roster shall also be prepared listing each eligible voter. A number will be assigned to the roster, with the duplicate number being stamped on the voter's prepaid business reply envelope. The blank envelope. the business reply envelope and a ballot will be placed in the envelope addressed to the individual voter and will be mailed. Enough duplicate envelopes and ballots will be prepared to assure voters receiving a second ballot in the event the first is lost, ruined, defaced or voided.
- (b) Upon receipt of this 'packet', the voter will mark his/her choice upon the ballot and enclose the same in the plain envelope provided and will seal it securely: this plain envelope will then be inserted into the business reply envelope bearing the voters identifying number and the voter should mail this in the United States Mail once.
- (c) The business reply envelope will be addressed to a post office box secured for the purpose of receiving ballots only. No ballots shall be removed from this post office box until the specified date and then only by all members of the Election Committee. All candidates for office and any member shall have the right to be present when ballots are removed from the post office box and taken to the place for counting.
- (d) The number from the prepaid business reply envelope will be checked off the voting roster to insure that only qualified eligible voters cast ballots. After checking the numbers for accuracy, the prepaid business reply envelopes will be opened, the blank envelopes containing ballots will be removed and deposited in the ballot box. After all prepaid envelopes have been opened. the blank envelopes will then be opened, and the ballots counted,

- (e) In the event a member makes an e1,-or in his/her ballot. he/she may obtain a new ballot from the Committee. Duplicate ballots will be issued on request with the identical packet being issued with the original number assigned to that voter being affixed with the letter "d" added (to indicate duplicate). An appropriate entry will be made on the voting roster and thereafter only the packet including the letter “d” will be honored for that voter.

Section 4 - (a) The Primary election shall take place from the twenty-fifth of November through the 7th of December.

- (b) Notices shall be posted three (3) days prior to the mailing or ballots.

Section 5 - (a) Sample ballots will be posted on the Union bulletin boards mall locations three (3) days prior to the mailing of ballots.

## ARTICLE 16

### COUNTING OF BALLOTS

Section 1 - As soon as all ballots have been received from the post office box by the Election Committee and delivered to the place of counting, the Election Committee shall combine all ballots and proceed to count them. assisted by inspectors and clerks as necessary.

Section 2 - After the ballots have been counted and tabulated, the Election Committee shall submit to the Recording-Financial Secretary an official written and signed report certifying the results of voting for each candidate for the various offices.

Section 3 - Any candidate receiving a majority of all votes cast shall be declared elected to the office for which he was a candidate.

Section 4 - Counting of the ballots shall be conducted in a place that will permit rank and file members and candidates to observe the procedure and witness that the results certified are correct.

Section 5 - The ballots, tally sheets, roster, voting lists. unused or spoiled

ballots, records, etc., shall be sealed in an appropriate box and kept for a period of ninety (90) days for reference.

## **ARTICLE 17**

### **OBLIGATIONS OF OFFICERS**

Section 1 - The regularly elected officers of Local 1277 shall be installed at the 5:00 PM session of the Central Los Angeles Area Membership meeting in January following their election. The newly elected officers shall take office immediately following installation. In the event the January session in the Los Angeles Area is canceled, installation will take place at the next session of the January meeting.

Section 2 - Officers elected to fill vacancies shall be installed at the next regular monthly membership meeting following their election and will take office immediately following installation.

## **ARTICLE 18**

### **RESIGNATIONS**

Section 1 - Any officer wishing to resign must present his/her resignation in writing to the Executive Board. The Recording-Financial Secretary will present such resignation to the next membership meeting and when having been examined, he/she is found to be clear and in good standing with the Local, his resignation must be accepted.

## **ARTICLE 19**

### **SALARIES-WAGES-EXPENSE ALLOWANCES**

Section 1 - Effective June 8, 2007, any officer required to work full time for the Local Union will receive a salary equivalent to 21% above the highest represented employee by the Local for the faithful performance of their duties. Salary will be equivalent to 40-hours per week and no overtime will be paid regardless of hours worked.

Section 2 - Unless appointed by the President/Business Representative to work for the Local Union on a full-time basis, the Treasurer and the Executive Board Member At Large shall, for the faithful performance of their duties and their attendance of the Executive Board meetings and Membership meetings shall receive the sum of Fifty dollars (\$50.00) each per month in addition to their classification wages.

Section 3 - Any member (except the Executive Board members) who performs work for the Local shall be paid the amount of time he/she loses from his/her shift. plus Ten dollars (\$10.00) per day for travel and expense for any one (1) day of work. Any expense incurred over and above the Ten dollars per day expense allowance shall be subject to the approval of the Executive Board.

Section 4 - The President/Business Representative. the Vice-President/ Assistant Business Representative and the Recording-Financial Secretary/ Assistant Business Representative or any Officers working full-time for the Local Union shall be paid Fifty dollars (\$50.00) per week, which is to include all expenses for tips. parking. minor travel and other incidental expenses, In the event these Officers are on vacation or on sick leave. this expense allowance will not apply. The Local may provide parking at the Union office for the Union's cars.

Section 5 - The Stewards shall be paid an amount equal to his/her monthly dues as reimbursement for necessary expenses. In addition. the monthly dues for each Steward shall be reimbursed for each month in which he/she attends his/her regular membership meeting, In the event a Steward does not attend his/her regular membership meeting in any month he/she shall forfeit this right of reimbursement. In the event he/she misses a second consecutive meeting, he/she shall forfeit his/her expense allowance and his/her stewardship will be declared vacant. Unavoidable absences will be considered by the Executive Board insofar as the expense allowance and vacancy only is concerned. Under no circumstances will dues be reimbursed except for cancelled meetings. The Executive Board shall be empowered to remove a Steward from office (subject to approval of the membership involved) if such removal shall be deemed to be in the best interests of the members represented.

Section 6 - Delegates attending conventions shall be paid \$25.00 (Twenty-five dollars) per day which shall cover costs for miscellaneous expenses except transportation, food and lodging. Transportation will be

paid on the basis of existing fare by direct route from home to convention and return. Lodging will be limited to the equivalent of a double room at the convention hotel headquarters. Reasonable expense for food shall be reimbursed consistent with guidelines set by the Executive Board prior to the convention. A delegate shall be allowed for the actual number of days to go to the convention, attend the convention and return.

## **ARTICLE 20**

### **MEETINGS**

Section 1 - The regular membership meetings for the transaction of business shall be divided into five (5) specific sessions as set forth below: •

- (a) Sessions one (1) and two (2) shall be held in the Central Los Angeles Area on the first (1st) Tuesday of each month at 10:00 AM and 5:00 PM.
- (b) Sessions three (3) and four (4) will be in the Riverside Area and held on the first (1st) Wednesday after the first (1st) Tuesday of the month at 10:00 AM and 6:00 PM.
- (c) Session five (5) will be in Palm Springs Area and held on the first (1st) Thursday after the first (1st) Tuesday of the month at 6:00 PM.
- (d) Additional sessions may be set by the Executive Board at dates, times, and location as appropriate.

In the event problems occur relative to the availability of meeting halls, the Executive Board is empowered to change the meetings to another day or time.

Section 2 - To do business at any session of a Regular or Special Called membership meeting, a quorum of at least ten (10) members must be present.

Section 3 - (a) Any action initiated at any session or a membership meeting affecting policy or other matters pertaining to the entire Local shall not be final and binding or become effective until submitted for

action to all other sessions of a meeting and having received approval by a simple majority or more as required in the By-laws of all of the members attending said sessions.

- (b) Actions initiated at any session affecting only, those members employed by companies in the specific area in which the session is being held need not be submitted for action and/or approval of any other session of a meeting before becoming final, binding and effective.
- (c) Whenever deemed necessary, the President/Business Representative may jointly hold a meeting of any particular location, Division or department for the purpose of discussing specific problems of the respective group.

Section 4 - Any member absenting himself/herself from a session of a meeting before adjournment shall not be counted present unless excused by the Chairman of such session.

Section 5 - A Stewards' Council meeting shall be held at any time deemed necessary by the President or a majority of the Executive Board.

## **ARTICLE 21**

### **MISCELLANEOUS LAWS**

Section 1 - The Local Union will pay upon the death, or total disability resulting from an occupational accident, of an honorary member who has been in good standing for a period of one (1) year or more following the adoption of this Article, the sum of seventy-five dollars (\$75.00) upon termination of membership in this Local Union; an honorary member being any member who at the time of affiliation with the Local had attained the age of sixty-five years (65) or over.

Section 2 - Real Property may be owned by the Local consistent with the rules of the International Constitution and General Laws.

Section 3 - The same vacation, sick leaves, etc., provisions that are negotiated in the contract under which a man/women would be working on his/her own property shall be allowed full-time Officers.

Section 4 - An Officer willing to work for all or part of a vacation period can be paid for such vacation pay, with the prior approval of the Local President/Business Representative. Upon leaving employment, the Local will pay the Officer for all accrued unused vacation or unused sick time.

Section 5 - Claims for wages other than those specifically mentioned in these By-laws shall not be paid unless and until approved by the Local.

Section 6 - It shall be the duty of the President, Recording-Financial Secretary or Treasurer to hold up all questionable bills and report same at the next regular meeting before payment is made.

Section 7 - All business of the Local must be kept strictly private from persons outside of the Union unless publication is authorized by the Local. Any member giving information selling or misusing working cards, buttons or other properties of the Local, or giving such to persons not entitled to the same shall, if found guilty, be subject to any penalty the Local may deem necessary in the case.

Section 8 - It shall be unlawful for any member or members, of this Local, unless authorized by the Executive Board and membership, to promote dances, balls, parties, picnics or raffles in the name of this Local or to induce the public to believe they represent Local 1277 of the Amalgamated Transit Union or any portion thereof, or in any way whatsoever. Any member or members found guilty of violation of any portion of the above, shall be fined, suspended or expelled.

Section 9 - Any member of any committee neglecting or refusing to perform the duties of such committee shall be subject to such penalty as the Local may determined for such offenses.

Section 10 - All members other than the proper officers of this Local are forbidden to constitute committees to adjust grievances or to do business of any kind affecting the Local unless authorized by the Local.

Section 11 - The Executive Board shall have the authority to accept new members from operating properties requesting affiliation in conformity with the International Constitution and General Laws.

Section 12 - (a) The President/Business Representative, Vice-President/Assistant Business Representative, Recording-Financial

Secretary/Assistant Business Representative, Treasurer and Executive Board Member At Large shall, by virtue of their offices, be delegates to the Los Angeles County Federation of Labor, AFL-CIO. Additional delegates to this Body shall be appointed by the Executive Board, subject to the approval of the Local.

- (b) There shall be only five (5) delegates representing Local 1277 at the convention of the California State Federation, AFL-CIO. The President/Business Representative, the Vice-President/Assistant Business Representative, the Recording-Financial Secretary/Assistant Business Representative, the Treasurer and the Executive Board Member At Large shall, by virtue of their offices, be delegates.

Section 13 - The President/Business Representative, the Recording-Financial Secretary and the Treasurer shall, by virtue of their offices, be delegates to the International Convention of the Amalgamated Transit Union AFL-CIO. The Vice-President and Executive Board Member At Large, shall by virtue of their offices be delegates to the International Convention should additional delegates be deemed necessary or advisable. The number of delegate to attend each convention will be determined by the Executive Board at least three (3) months prior to the date set for the convening of such Convention.

Section 14 - Any motion or resolution proposing an assessment other than as provided for in the Constitution and General Laws must be presented and read at one regular meeting and read again at the next regular meeting where an affirmative vote of the majority of the members voting will be necessary to adopt.

Section 15 - (Arbitration Fund) For the purpose of adjudicating disputes between the bargaining units and managements on behalf of members and other employees and defraying arbitration expenses incurred for tile benefit of our members and other employees, there shall be established and maintained n fund to be known as the ATU Local 1277 Arbitration Fund. All active members of Local 1277 shall be assessed five dollars (\$5.00) per month until the balance in the Fund is seventy-five thousand dollars (\$75,000.00). Assessments for the Fund shall cease when the balance reaches seventy-five thousand dollars and shall be reactivated only when the balance in the Fund drops below fifty thousand dollars (\$50,000.00). Assessment<; for the arbitration fund shall constitute dues owed to the

Local by each active member of the Local and shall be collected by the Local without further authorization of or action by the membership of Local 1277. Non-members represented by the Local making service payments to the Local in lieu of dues shall be assessed the same as members to support the Fund. Any non-member employee who is covered by the Meyers-Mjlias-Brown Act, and is not subject to an agency shop or other union security provision, shall appear on his or her own behalf in an arbitration or, if he or she requests union representation, shall be responsible to the Local Union for the full cost of his or her arbitration. The dollar amounts listed in this section may be increased upon a majority vote at a Local meeting taken by secret ballot. Reasonable notice of any proposal to increase those dollar amounts shall be given prior to the vote.

## **ARTICLE 22**

### **RULES OF ORDER**

Use of Gavel: Three (3) raps will call the meeting to order, two (2) raps will call the members to their feet and one (1) rap will seat them.

Rule 1 - When the presiding officer takes the chair, the officers and members shall take their respective seats and at the sound of the gavel there shall be general silence. The meeting shall then be considered organized.

Rule 2 - Any member in the meeting of this Local who makes use of profane or unbecoming language, or refuses to obey the order of the Chair, or uses disrespectful expressions toward the officers or members of this Local shall be ejected from the place of meeting and not be allowed to enter again at that session and may be further punished if deemed advisable by the Local.

Rule 3 - On motion, the regular order or business may be suspended by a two-thirds vote of the meeting at any time to dispose of anything urgent.

Rule 4 - Any conversation by whispering or otherwise which is likely to disturb a member while speaking, or hinder the transaction of business, shall be deemed a violation of order.

## MOTIONS

Rule 5 - All motions (if requested by Lhe Chair) must be submitted in writing.

Rule 6 - A motion to be entertained by the presiding officer must be seconded and the mover must rise. give name and department and be recognized by the chair.

Rule 7 - Any member having made a motion can withdraw it. but a motion once debated cannot be withdrawn except by a majority vote.

Rule 8 - A motion to amend an amendment shall be in order, but no motion to amend an amendment to an amendment shall be permitted.

## DEBATE

Rule 9 - A motion shall not be subject to debate until it has been stated by the Chair.

Rule 10 - When a member wishes to speak, he/she shall rise and respectfully address the Chair and when recognized by the Chair, he/she will give his name and department. He/she shall then be entitled to proceed.

Rule 11 - If two or more members rise to speak at the same time, the Chair shall decide which is entitled to the floor.

Rule 12 - Each member when speaking shall confine himself to the question under debate and avoid all personal or indecorous language.

Rule 13 - No member shall interrupt another while speaking except to submit a point of order and shall definitely state the point. The Chair will decide the same without debate.

Rule 14 - If any member shall non-concur in a decision of the Chair. he/she may appeal to the body from the decision.

Rule 15 - If a member while speaking is called to order, he/she shall take his seat until the point of order is decided. If decided in order, he/she may then proceed.

Rule 16 - When an appeal is made from the decision of the Chair, the Vice-President shall act as Chairman; said appeal shall then be stated by the Chairman to the meeting in these words: "Shall the decision of the Chair be sustained as the decision of the members." The member will then have the right to state the grounds of appeal and the Chair will give reasons for his/her decision. Thereupon, the members will proceed to vote on the appeal without further debate and it shall require a majority vote to sustain such an appeal.

Rule 17 - No member shall speak more than once on the same subject until all members desiring the floor have spoken, nor more than twice without unanimous consent, nor more than five minutes at any one time without the consent of a two-thirds vote of all members present.

Rule 18 - Individuals or committees not connected with the organized labor movement may address the members under the order of business entitled "Good and Welfare" when two-thirds of the members present and voting have so decided.

Rule 19 - When deemed necessary, the membership may order an executive session by a majority of the members present voting to do so.

Rule 20 - The presiding officer shall not participate in any debate on any subject under discussion unless he/she temporarily vacates the Chair. He/she shall rule on all points of order; subject to appeal, and in case of a show of hands being called and the votes being equally divided, he/she shall have the deciding vote. (This does not apply to any election of officers or in any case where the vote is by ballot.)

## **PRIVILEGE QUESTIONS**

Rule 21 - When a question is before the meeting, no motion shall be in order except:

1. To adjourn
2. To lay on the table
3. For the previous question
4. To postpone to a given time

5. To refer or commit
6. To amend

and these motions shall have precedence in the order herein arranged. The first three (3) of these motions are not debatable.

Rule 22 - If a question has been amended, the question on the amendment shall be put first; if more than one amendment has been offered, the question shall then be put as follows:

1. Amendment to the amendment
2. Amendment
3. Original question

Rule 23 - When a question is postponed indefinitely, it shall not come up again except by a two-thirds vote.

Rule 24 - A motion to adjourn shall always be in order except:

1. When a member has the floor
2. When members are voting

Rule 25 - Before putting a question to a vote, the presiding officer shall ask; "Are you ready for the question?" Then it shall be open for debate. If no member rises to speak, the presiding officer shall then put the question in this form: "All in favor of the motion say 'aye.'"; and after the affirmative vote is expressed, "To the contrary, 'no'." After the vote is taken, he/she shall announce the result in this manner: "It seems to be carried (or lost): it is carried (or lost) and so ordered."

Rule 26 - Before the presiding officer declares the vote on a question, any member may ask for a division of the house; then the Chair is in duty bound to comply with the request and a standing vote shall then be taken. and the Recording-Financial Secretary shall count the same.

Rule 27 - When a question has been decided, it can be reconsidered only by a two-thirds vote of those present.

Rule 28 - A motion to reconsider must be made and seconded by two members who voted with the majority.

Rule 29 - A member being ordered to take his seat three times by the Chair without heeding shall be debarred from participating in any further business at that session.

Rule 30 - Questions not herein provided for shall be decided in accordance with Roberts' Rules of Order.

## **ARTICLE 23**

### **AMENDMENTS**

Section 1 - In order to amend, alter or rescind any section or part thereof of these By-laws, the proposed change must be submitted to the Executive Board in writing, bearing the signature of the author, at least two (2) weeks prior to the regular meeting at which the proposed change is to be presented.

Immediately after the regular meeting at which the proposed change is presented, the Executive Board shall post a copy of the proposed change on the Union bulletin board at each division where it shall remain posted until adopted or rejected. Action as a result of the discussions on the proposed change as originally presented shall be taken at the first meeting following the presentation and the proposed change must be accepted by a two-thirds (2/3) vote. The members voting shall do so by secret ballot, subject to the approval of the International President. All ballots shall be deposited in one (1) box at all sessions of the meeting. The ballot box shall be kept sealed between sessions and rank and file members shall sign as witnesses at the sealing and unsealing of the box. The ballots will be counted in the presence of the membership in attendance at the last session of the meeting.

Section 2 - Any and all laws now in force conflicting with these By-laws are hereby repealed, subject to the approval of the International President.

# **ORDER OF BUSINESS**

## **MEMBERSHIP MEETINGS**

1. Call to order by President.
2. Conductor-Warden-Sentinel examines members present.
3. Roll call of Officers.
4. Reading of Minutes of previous meeting.
5. Propositions for membership.
6. Reports of Committee on Candidates.
7. Balloting of candidates.
8. Initiation of candidates.
9. Communications and bills.
10. Reports of Officers.
11. Reports of delegates and standing and special committees.
12. Unfinished business.
13. New business and welfare of the Local.
14. Nomination and election of Officers.
15. Installation of Officers,
16. Receipts and Expenditures.
17. Adjournment.

# **ORDER OF BUSINESS**

## **EXECUTIVE BOARD MEETING**

1. Roll call of Officers.
2. Reading of Minutes of previous meeting.
3. Communication and bills.
4. Report of Treasurer.
5. Report of Business Representative.
6. Report of President.
7. Report of Committees.
8. Unfinished business.
9. New business.
10. Good and welfare of the Union.
11. Adjournment.

By-laws effective September 1, 1959

Amended May, 1962

Amended September, 1964

Amended December, 1969

Amended July, 1975

Amended June, 1976 (for changes effective 01-01-77)

Amended July, 1977

Amended October, 1979

Amended March, 1980

Amended February, 1995

Amended October, 1996

Amended June, 2007