

TABLE OF CONTENTS

Article No.	Title	Page No.
I	Name	2
II	Objects	3
III	Eligibility for Membership	4
IV	Membership	4
V	Officers	5
VI	Duties of the President	6
VII	Duties of the Vice-Presidents	7
VIII	Duties of the Treasurer	7
IX	Duties of the Secretary	8
X	Executive Council	9
XI	Allowances, Expenses and Benefits	10
XII	Nomination and Election of Officers	10
XIII	Dues and Initiation Fees	13
XIV	Meetings	14
XV	Chief Stewards, Stewards, & Area Reps	15
XVI	Charges and Trials	15
XVII	Exhaustion of Remedies	17
XVIII	Bonding	17
XIX	Delegates	17
XX	Negotiating Committee	17
XXI	International Constitution	18
XXII	Saving Clause	18
XXIII	Funds and Property	18
XXIV	Amendments	19
XXV	Standing Rules for Union Meetings	19

BY-LAWS
of the
INTERNATIONAL FEDERATION OF
PROFESSIONAL AND TECHNICAL ENGINEERS (IFPTE)
LOCAL NO. 4

ARTICLE 1
NAME

1. This organization shall be known as Local 4 (or “the/this Local”), and is affiliated with and is a local of the INTERNATIONAL FEDERATION OF PROFESSIONAL AND TECHNICAL ENGINEERS, AFL/CIO-CLC (American Federation of Labor and Congress of Industrial Organizations/Canadian Labour Congress).

a. JURISDICTION

The jurisdiction of this Local shall be as set forth in its Grant of Charter allotted by the International Federation of Professional and Technical Engineers (or “the IFPTE” or “the International”).

b. CHAPTERS

Local 4 shall be authorized to establish chapters within the Local for the purpose of representing specific groups of employees who are qualified for the membership in the Local as set forth in Article III.

ARTICLE II OBJECTS

1. The objects of this Local shall be as set forth in the International Constitution, and shall be to unite into one labor organization all workers eligible for membership, regardless of religion, race, creed, color, national origin, age, sex, sexual orientation, disability, or any other basis protected by Federal law; to secure improved wages, hours, working conditions and other economic advantages for our members through collective bargaining, through advancement of our standing in the community and in the labor movement, and other lawful methods; to provide educational advancement and training for officers, employees and members; to safeguard and promote the principle of free collective bargaining, the rights of workers and consumers, and the security and welfare of all the people by political, educational and other community activity; to protect and strengthen our democratic institutions and preserve and perpetuate the cherished traditions of our democracy; and to protect and preserve the Local as an institution and in the performance of its legal and contractual obligations.

2. It is recognized that the problems with which this labor organization are accustomed to deal are not limited to “bread and butter” unionism or to organization and collective bargaining alone, but encompass a broad spectrum of economic and social objectives as set forth above and as the Local may determine from time to time; we, therefore, determine and assert that the participation of this labor organization, individually and with other organizations, in the pursuit and attainment of the objectives set forth herein are for the sole benefit of the organization and its members.

3. In addition to objectives listed above, this Local shall be dedicated to the preservation and implementation of the current agreement between Local 4 and Portsmouth Naval Shipyard, by both parties to that agreement; and between Local 4 and NAVSEA Detachment Submarine Maintenance, Engineering, Planning and Procurement (SUBMEPP) by both parties to that agreement; and between Local 4 and the Defense Commissary Agency (DECA) by both parties to that Agreement; and between Local 4 and the Cold Region Research Engineering and Laboratory (CRREL) by both parties to that Agreement.

ARTICLE III ELIGIBILITY FOR MEMBERSHIP

1. Any individual employed or qualified for employment in the general field of engineering or architecture shall be eligible to membership in this Local upon application in the manner and form prescribed in these by-laws. Eligible membership in the Local shall include, but is not limited to such occupations as: aeronautical, chemical, civil, commercial, electrical, marine, mechanical, mining, and metallurgical, sales, structural and research engineering; architects, draftsmen, technicians, metallurgists, physicists, engineering inspectors, test technicians, planners, estimators, specifications writers, technical clerks, time study people, blue printers, engineering and laboratory assistants and aides, production controllers, safety specialists, computer specialists, etc.

2. In accordance with the International Constitution, persons employed by the International are eligible for full membership within this Local, but are not eligible to participate, in any manner, in this Local's elections.

3. Supervisors and managers in the occupational fields described above shall be eligible for membership as "Associate" members with approval of the Local's Executive Council. An "Associate" is considered to be an individual generally in agreement with the Local's views on issues which affect the membership. An "Associate" member may participate in the Local within these limitations:

a. The "Associate" member may attend regular membership meetings and special occasion membership events sponsored by the Local.

b. The "Associate" member may participate in meeting discussions on items brought forward by the members.

c. The "Associate" member may speak in support of or in objection to motions presented through the meeting chair.

d. Other privileges, as defined in the Agreement and in the Bylaws, afforded to members in good standing, are not available to the "Associate" member.

4. There shall be no discrimination toward an applicant for membership, or to the terms and conditions of such membership, because of religion, race, color, creed, age, sex, sexual orientation, national origin, or disability, or any other basis protected by Federal law.

ARTICLE IV

MEMBERSHIP

1. An applicant shall be considered a member when he/she shall meet all of the following requirements for membership:
 - a. Written application for membership as determined by this Local.
 - b. One month's dues by cash or written authorization of dues check off.
 - c. Acceptance of his/her application and dues by the Local.

2. A member, including an associate member, shall lose his/her good standing in this organization by suspension or expulsion from membership after appropriate proceeding consistent with the Bylaws of this Local, or by non-payment of dues on becoming three (3) months in arrears.

3. A member shall be considered to have voluntarily withdrawn from membership on the taking of a withdrawal via revocation of voluntary dues check off, unless dues are paid by some other method. Revocation of voluntary dues check off must be in accordance with existing statute. In any case where the Local is required to give an honorable withdrawal card under the terms of the International Constitution, it may provide for the continuance of Local 4 benefits only to such former member under conditions which it shall set forth.

4. Responsibility of Members to the Organization. No member shall engage in dual unionism or espouse dual unionism or disaffiliation in the course of any meeting, shall not be a party to any activity to secure the disestablishment of the Local as the collective bargaining agent, or interfere with any business agent or officer in the performance of his/her duties.

5. No member who is in an intoxicated condition shall be permitted to attend or participate in a Local 4 meeting and no member shall use intemperate, profane or abusive language during the course of a meeting, under penalty of being required to leave the meeting or under penalty of being subjected to disciplinary proceedings.

6. No member shall be permitted at any assembly or meeting of other members to engage in any of the conduct herein before described.

7. It is the responsibility of each member to live up to the agreement and report any and all violations to the Local's officers.

ARTICLE V OFFICERS

1. Officers of this Local shall consist of a President, First Vice President, Second Vice President, Third Vice President, Secretary, Treasurer and six additional Executive Council members. These officers shall constitute the Executive Council of the Local.
2. Eligibility to hold office shall be governed by the requirements of Article XII, paragraph 2 of these Bylaws.

ARTICLE VI DUTIES OF THE PRESIDENT

1. It shall be the duty of the President to preside at meetings of this Local and of the Executive Council, to preserve order therein, and enforce the International Constitution and Bylaws of the Local and see that all officers perform their respective duties.
2. The President shall decide all questions of order, subject to an appeal to the membership; shall have the right to vote in the election of officers; shall cast the deciding vote when a tie occurs on any question; shall announce the result of all votes and enforce all fines and penalties; and shall have power to call special meetings when he/she deems it necessary or when requested in writing by twenty (20) members in good standing.
3. The President or the Treasurer shall sign all checks on bank accounts and perform such other duties as the International Constitution and Bylaws of the Local may require. The President and the Treasurer shall be the only representatives or employees of this Local with authority to handle or, upon authorization by the Executive Council, make payment from the funds of this Local.
4. The President shall have the authority to sign all official documents. The President shall order the disbursement of all monies necessary to pay the bills, obligations and indebtedness of the Local, including such amounts which in his/her judgment shall further the best interest of the Local, subject to the approval of the Executive Council.
5. The President shall have the right to serve on all committees by virtue of the office. Subject to Executive Council approval, he/she shall appoint all committees.
6. The President shall appoint the Chief Stewards, subject to the Executive Council approval.

7. The President may take such action as in his/her judgment shall further the best interests of the Local and its members, which action shall include, but not be limited to, the expenditure of monies for such purposes, subject to the approval of the Executive Council. Such actions may include aid and assistance, monetary or otherwise, to such other persons or organizations which the President may feel are deserving of such aid in the best interest of the labor movement.

8. The President shall have the authority to interpret these Bylaws. His/her decisions may be appealed to the Executive Council.

9. The President shall also have such duties regarding Local 4 elections as set forth in Article XII.

10. The President shall automatically serve as an International Convention delegate.

11. During the President's absence, signature authority, except for financial issues, shall be delegated to the First Vice President and to others as listed on a delegation of authority forwarded to the head of the Portsmouth Naval Shipyard Human Resources Office.

ARTICLE VII DUTIES OF THE VICE PRESIDENTS

1. It shall be the duty of the Vice Presidents to see that all persons entering meetings are members in good standing, to see that the property of the Local is taken care of, assist the President in preserving order, and preside in the absence of the President.

2. In case of death, removal or resignation of the President, the First Vice President becomes President until the next regular election.

3. The First Vice President shall automatically serve as an International Convention Delegate.

4. The First Vice President shall, subject to the approval of The Executive Council, arrange for replacements to fill vacant Steward positions.

5. The Vice Presidents shall perform other duties as assigned by the President.

**ARTICLE VIII
DUTIES OF THE TREASURER**

1. The Treasurer shall perform all the duties of local Treasurers as required by the International Constitution. He/she shall make a report to the membership at each regularly scheduled membership meeting, as a minimum, giving the financial standing of the Local and shall keep itemized records, showing the source thereof of all monies received, and shall keep records, vouchers, worksheets, books and accounts to verify the correctness of any such report.
2. The Treasurer or the President shall receive all monies paid the Local, giving his/her receipt therefore for any dues, initiation fees, or other fees, assessments or fines. All monies received from any source whatever shall be placed in the bank in the name of the Local except when ordered or directed otherwise by the Executive Council.
3. The Treasurer or the President shall sign all checks on bank accounts.
4. The Treasurer shall upon request make available a copy for inspection of any annual report to any member. Upon a request by any member made in writing setting forth good and sufficient cause for requesting examination of any books, records, and accounts necessary to verify any report filed in compliance with any statutory requirements, the Treasurer shall make arrangements to have the records desired available for inspection during the regular business hours at the principal office of this Local. No record or copy thereof shall be allowed to be removed from the principal office without the approval of the Treasurer or President. In the event that the Treasurer believes that just cause does not exist for the request made, the member shall then appeal the matter within ten (10) calendar days in writing to the Executive Council.
5. Whenever a Treasurer's term of office shall expire or otherwise be terminated, he/she shall give his/her successor all papers, documents, records, vouchers, worksheets, receipts, books, reports, money and other Local property that may have been entrusted to him/her by virtue of his/her office. Such papers, documents, records, vouchers, worksheets, receipts, books, reports shall be retained at the Local's principal office for a period of six (6) years.

**ARTICLE IX
DUTIES OF THE SECRETARY**

1. It shall be the duty of the Secretary to attend meetings of the Local and the Executive Council; to keep minutes of the proceedings of the Local and the Executive Council, which need not be verbatim; to keep a record of the names of

the members comprising each committee; to handle the correspondence of the Local where required by the Bylaws. In his/her absence, the President shall appoint a member to act as Secretary Pro Tempore and such Secretary Pro Tempore shall have the duties herein set forth.

2. The Secretary shall maintain records of the proceedings of all meetings, documents, papers and correspondence, as well as files on contracts and agreements with employers. Upon request of any person made in person or in writing to the Secretary during regular hours at the principal office, he/she shall provide a copy of the collective bargaining agreement made by the Local with the employer of such person, if the person making such request is directly affected by such agreement they may require a receipt therefor. The Secretary shall also maintain at the principal office of the Local copies of agreements made or received by the organization where another labor organization has negotiated such contracts and the employees represented by this Local are directly affected by such agreements. These agreements shall be available for inspection by any member or by any employees whose rights are affected by such agreement during the regular hours maintained at the principal office of the Local. The Secretary shall also maintain a record of all members in good standing with their last known address. Said records shall not be open to inspection by any member, except by a bona fide candidate for office in connection with an election being held under these bylaws. Only names and work locations may be hand copied from membership records by the candidate. The Secretary shall ensure that no other information pertaining to any member is additionally recorded by a candidate.

3. The Secretary shall also have such duties regarding Local 4 elections as set forth in Article XII.

ARTICLE X EXECUTIVE COUNCIL

1. The Executive Council shall perform the duties imposed upon them as set forth in these Bylaws as follows:

2. They shall conduct the affairs of the Local.

3. Except as may be otherwise provided in these Bylaws, the Local Executive Council is authorized and empowered to manage, invest, expend, contribute, use and acquire Local 4 funds and property in the pursuit and accomplishment of the objectives set forth in these Bylaws. The Executive Council is hereby empowered, in addition to such other powers as are set forth herein or are conferred by law, to:

- a. Provide for the allowances, disbursements and reimbursements in full for all expenses for officers and employees.
- b. Provide for the employment and payment of attorneys, accountants and such other special or expert services as may be required for the organization.
- c. Fill all vacancies in office which occur during the term of such office, except the office of President.
- d. Transact all business and to manage and direct the affairs of the Local between membership meetings, except as may otherwise be herein provided for. It may delegate to any of its officers any of the functions and powers herein set forth, other than the power to fill vacancies in office.
- e. Review and approve or disapprove all grievance proceedings prior to the scheduling of any arbitrator(s) selected per contract procedures. A special three-member Executive Council committee may be convened, if requested by the Executive Council, to review and recommend approval or disapproval of any grievance for arbitration proceedings.
- f. To do all acts, whether or not expressly authorized herein, which the Council may deem necessary or proper for the protection of the property of the Local and for the benefit of the organization and members.
- g. After a new Executive Council's first meeting (after elections), they shall submit to the next regular meeting their policy for travel allowances and expenses, to be enforced during their term of office.
- h. Meet at least once a month. A majority of the Council shall constitute a quorum.

ARTICLE XI ALLOWANCES, EXPENSES AND BENEFITS

1. ALLOWANCES

- a. Recognizing that the officers of this Local must participate in cultural, civic, political, fraternal and educational activities in addition to their specific duties provided in the Constitution and Bylaws; that such activities benefit the organization and the members; that the time spent in such activities is unpredictable and unascertainable; such officers and employees may be granted an allowance in such amount (daily, weekly or monthly) as the Local Executive Council may determine.

b. On all assignments which require travel outside of the municipality, officers or employees may receive an out of town allowance in such amounts as the Local Executive Council may determine.

c. In addition to the allowance set forth above, all officers and employees may be reimbursed for, or credit provided for, all expenses incurred in connection with their activities.

2. EXPENSES

a. When a representative of the organization is engaged in activities in the interest of or for the benefit of the organization and its members, the labor organization shall pay the expenses incurred therein, or reimburse the representative upon receipt of itemized vouchers from him/her or the supplier of such services.

ARTICLE XII NOMINATION AND ELECTION OF OFFICERS

1. Meetings for nominations of officers and Executive Council shall be held at the regular meetings held in November every three years. Election shall be held not less than forty-five (45) calendar days after nominations have been closed.

2. To be eligible for office, the candidate must be an active member in continuous good standing for at least 24 months in Local 4 at the time of nomination. All officers shall serve for a term of three (3) years or until their successors are duly elected, qualified and installed.

3. This Local shall elect its officers, including six Executive Council members at large, by secret ballot.

4. At least twenty (20) calendar days prior to the date of the nomination meeting, specific notice of the date, time, and place of the nomination meeting, the offices involved, the term of office, and the rules of eligibility to hold office, shall be given in such manner as shall be reasonably calculated to reach all members. Included in this notice shall be instructions regarding the submission of written nominations by members via mail (or email) to the Secretary for those members who shall be on leave, travel (TDY), back shifts, a Scheduled Day Off (SDO), or at a remote work/duty station at the time of the nomination meeting, provided such nominations are received on/before the date of the meeting.

5. Every member in continuous good standing, excluding members employed by the International and Associate members, shall have the right to nominate, vote for, or otherwise support the candidate of his/her choice. No members whose dues have been withheld by his/her employer for payment to the Local pursuant

to his/her voluntary authorization provided for in the collective bargaining agreement shall be declared ineligible to nominate, vote for or be a candidate for officer in the Local, by reason of an alleged delay or default in the payment of dues by his/her employer to the Local.

6. Any member who is ruled ineligible to run for office may appeal within forty-eight (48) hours to the International President who, or his/her designee, shall decide such an appeal within four (4) work days.

7. Nomination meeting:

a. Nominations and the conduct of the election and related questions shall be the first order of business at the Nomination meeting.

b. Any question of the eligibility of candidates nominated by motion at such meeting shall be decided by the Secretary or President of the Local, or their designees, within twenty-four (24) hours and shall be appealable to the International President, in accordance with the provisions of subsection 6.

c. Nominations shall not be closed until a call for further nominations has been made three times by the President or his/her designee without further nomination being made.

d. In the event only one candidate is nominated for any office, no election balloting for such office is required. The Secretary shall cast one ballot for the sole candidate, and the candidate shall be declared elected.

8. Elections

a. All Local 4 election rules published for the governance of the balloting records, polling place etiquette, candidate conduct, election tallies, campaigns, election committee duties and responsibilities, etc., shall be accomplished in accordance with the latest revision of "The Guidelines of Conducting Local Union Officer Elections, A Guide for Election Officials," ("the DOL Guidelines") prepared by the Office of Labor-Management and the U. S. Department of Labor (DOL), as published on the DOL website. Such DOL Guidelines shall be followed by all official candidates for office. The DOL Guidelines shall also be used in other types of elections held by Local 4. Questions regarding the application of the DOL Guidelines or the appropriateness of any section of the election rules shall be referred to the election committee Chair (see below).

b. The election committee for each election cycle shall consist of four members, including the chair. At the nomination meeting, an election committee consisting of four members, which may include retired members, and an alternate shall be selected by the membership present. Committee members shall be volunteers and selected by a majority of members present. All committee members shall be selected at the close of candidate nominations.

Persons who volunteer for the election committee shall not be nominees and shall have no particular affiliation with any nominated member, such as campaign chairman or election observer. Selection of the committee members shall be individually voted by a count of hands. Immediately following the four initial committee members selection, a volunteer shall be requested from the membership as an election committee alternate to replace a member who is unable to continue on the committee. The four selected committee members shall choose a chair. Once appointed the election committee shall be autonomous in our Local in governing the specific election. Questions or concerns regarding the election process raised by candidates, candidate's representatives, or Local 4 members that cannot be answered by the Election Committee Chair shall be referred to the President of the International.

- c. After the nomination meeting, but not less than twenty (20) calendar days prior to the election, specific notice of the date, time and place of the election shall be mailed by first class postage to each member at his/her last known address.
- d. Voting shall be conducted by secret ballot among the members in good standing. There shall be no proxy vote. Each member shall be entitled to cast one ballot. Absentee voting by mail shall be permitted for elections. Only members who are on leave, TDY, back shifts, an SDO, or at a remote work/duty station shall be entitled to such an absentee ballot.
- e. Absentee ballots shall be valid only if they are received before the closing of the polls. Absentee voting shall be conducted with all proper safeguards.
- f. Each candidate shall have the right to have an observer at the polls and at the counting of the ballots. Candidates and their observers may challenge the eligibility of voters, and all challenged ballots shall be investigated by the Election Committee to determine their validity as promptly as possible if the challenged ballots are sufficient in number to affect the result of the election.
- g. Protests concerning the rulings or the eligibility of voters and the conduct and validity of the election shall be filed within two workdays of the announcement of the election results with the President or his/her designee, who shall decide such protests within seven (7) calendar days. Decisions of the President shall be binding, subject to appeal as provided in the International Constitution.
- h. All nominations and election records, including the minutes of the nomination meeting and the ballots cast, shall be preserved, and election records shall be sealed, for a period of at least five (5) years.

9. When there are two (2) or more candidates for an office, the candidate receiving the most votes shall be declared elected. No person nominated for more than one position shall run for more than one office.
10. Duties of the Secretary in connection with nomination and election:
 - a. The Secretary shall, at least twenty (20) calendar days prior to the holding of any nomination meeting, give notice to all members in accordance with paragraph 4 of this Article.
 - b. The Secretary shall verify the eligibility of all nominees to hold office, and obtain a written acceptance from nominees, within five (5) work days after the nomination meeting.
 - c. The Secretary shall notify the membership of eligible candidates for each office.
 - d. The Secretary shall make available for inspection by any bona fide candidate the membership list covered by the Local security arrangements. Such inspection shall be arranged for in advance by the Secretary.
 - e. The Secretary shall create a list of eligible voters for each election (split A-L & M-Z alphabetically). This list shall be used to mark off the names of voters at the polling place.

ARTICLE XIII DUES AND INITIATION FEES

1. The regular dues of this organization shall be as set by recommendation of the Executive Council followed by an approval vote at a regular membership meeting or specially called dues-setting meeting.
 - a. In lieu of dues deduction method, members shall be required to make monthly payments on or before the first business day of the month to maintain good standing membership for the entire month.
2. Initiation fees for membership in this organization shall be \$10.00 provided, however, that such initiation fee may be waived or reduced in connection with the organization of unorganized employees by the President of the International upon request of the Local. Reinstatement fees shall be either the payment of all back dues or \$50.00, whichever is lesser. Waiving of this requirement is subject to Executive Council approval.

3. Any increase in the rate of dues shall be made only in accordance with the following procedure:

a. Reasonable notice shall be given to the membership at least fifteen (15) calendar days prior to the meeting at which the membership shall consider the question of whether or not such dues shall be changed. The notice shall indicate that an increase of assessment is to be voted on. Such meeting may be general or special.

ARTICLE XIV MEETINGS

1. REGULAR MEETINGS

a. Regular meetings shall be held in January, March, May, September and November at such places and at such times as designated by the Local Executive Council.

b. Members in attendance at meetings shall have the right to express their views, arguments or opinions upon any business properly before the meeting subject to these By-laws, and the rules and regulations adopted by the Executive Council pertaining to the conduct of meetings; but no member in exercising such rights shall evade or avoid his/her responsibility to the organization as an institution or engage in or advocate any conduct that would interfere in the Local's performance of its legal or contractual obligations, or conduct himself/herself in an unruly or boisterous manner.

2. SPECIAL MEETINGS

a. Special meetings of the Local may be called by the President as set forth in Article VI. Upon failure of the President to call a special meeting within a reasonable time after a petition of 20 members, a majority of the Executive Council may call such meeting by action taken at a duly called Executive Council meeting.

3. QUORUM

a. A quorum of a general membership meeting shall consist of 20 members.

ARTICLE XV CHIEF STEWARDS, STEWARDS AND AREA REPRESENTATIVES

1. Chief Stewards, Stewards and Area Representatives are not officers of the Local. Chief Stewards are selected by the President and approved by the

Executive Council in accordance with Article VI, and shall have such duties as the President or his/her designee may direct. Stewards and Area Representatives shall be selected in such manner and shall have such duties, as the President or his/her designee may direct. They shall not be permitted to receive, handle or disburse any funds of the Local, unless bonded. The Chief Stewards shall attend all meetings of the Executive Council when possible, and shall have a voice but no vote.

ARTICLE XVI CHARGES AND TRIALS

1. Each member of this Local shall have the right to fair treatment in the application of Union rules and law in accordance with the International constitution and these Bylaws. In application of all rules and procedures relative to 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.
2. Members shall have the right to be represented by any member in good standing; but no lawyers shall be permitted to appear on behalf of members in internal Local 4 trials, except upon approval of the trial board.
3. Recognizing that these requirements of fairness and due process of law shall be administered by groups of laboring men and women, this Local adopts the following procedures with the specific understanding that the following procedural guides are designed to attain justice both to the individual member and the organization, and in instances where deviations from such procedures are not such as to substantially affect the members' substantive rights, these procedures are not to constitute technically precise requirements of strict pleadings of courts of law. Members of this Local may be charged only with the offenses specified in the International Constitution and may be tried in accordance with procedures therein specified.
4. Officers may be charged only with offenses defined in the International Constitution, or with "serious misconduct". Serious misconduct of an officer shall be defined as:
 - a. Willful or negligent failure to hold the money and property of the Local solely for the benefit of the Local and its members, and to manage, invest and expend the same in accordance with these Bylaws, or any resolutions or directions of the Executive Council or the membership.
 - b. Dealing with this Local as an adverse party in any manner connected with his/her duties.

- c. Holding or acquiring any written pecuniary interest which conflicts with the interest of the Local.
- d. Failure to account, after written request for accounting is made by members in good standing, for any profit received by him/her in connections with transactions conducted by him/her or under his/her directions on behalf of the organization.
- 5. Any transaction of any officer shall be considered “solely for the benefit of the Local and its members” within the meaning of the above definition if it promotes the purpose set forth in Article II above or its furtherance of such social, economic, political, fraternal, educational or other objective as may be determined by the Executive Council or the membership.
- 6. The procedures specified in the International Constitution shall govern all trials and appeals. The requirements of the International Constitution and of fairness and due process shall be attained by substantial adherence to the following:
 - a. Copies of all charges should be submitted in writing to the person charged at least ten (10) calendar days prior to any trial or hearing.
 - b. Details of the conduct of activity charged should be described, giving dates and places where possible.
 - c. The trial board should not include among its members any person who is in the role of an accuser.
 - d. Mechanical recording of the evidence should be kept.
 - e. The accused should have the right to confront and cross-examine witnesses giving testimony against him/her.
 - f. The trial board should give to the accused full opportunity to make his/her defense and to produce testimonial or documentary evidence for that purpose.
 - g. The decision of trial boards should recite the facts which it finds to be true and should also set forth the basis for the decision reached.
 - h. All documents in the proceeding, as well as recorded media of evidence shall be preserved and kept available for use in further proceedings in the Local.

ARTICLE XVII
EXHAUSTION OF REMEDIES

1. No member or officer of the Local shall resort to any court or agency outside the International 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 XVIII BONDING

1. The elected officers of the Local shall be bonded in an amount equal to 10% of the total net worth of the Local during the preceding fiscal year.

ARTICLE XIX DELEGATES

1. Delegates to the triennial convention of the International, except for the President and First Vice President (see Articles VI and VII), shall be nominated and elected by secret ballot by the membership and there shall be no proxy voting to elect delegates. Nominations and elections of delegates shall be conducted in the same manner as prescribed in Article XII. Dates for nomination and election of delegates shall be adjusted to agree with the date of the International convention and in specific accordance with Sections 4 and 8.a. of Article XII.

ARTICLE XX NEGOTIATING COMMITTEE

1. At least 90 calendar days prior to the termination of the existing agreements between either the Shipyard, DeCA, CRREL, or SUBMEPP and IFPTE Local 4, a negotiating committee shall be selected by the President in conjunction with the Executive Council.

ARTICLE XXI INTERNATIONAL CONSTITUTION

1. The Local acknowledges that the Constitution of the International supersedes any provisions of these Bylaws which are inconsistent with such Constitution. The Local hereby readopts, as its Constitution, such International Constitution, and incorporates herein by reference, as though fully set forth herein, all such provisions of such Constitution, as it may be interpreted, modified, or amended from time to time, which are applicable to Local 4 matters and affairs.

ARTICLE XXII SAVING CLAUSE

1. The provisions of these Bylaws relating to the payments of dues, assessments, fines or penalties, etc. 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 and these Local 4 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 any competent authority of the executive, judicial or administrative branch of federal or state government, the Local 4 Executive Council shall have the authority to suspend the operation of such provision during the period of its invalidity and to substitute in its place a provision which shall meet the objections to its validity and which shall 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 or competent jurisdiction, the remainder of the Constitution 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.

ARTICLE XXIII FUNDS AND PROPERTY

1. The funds and property of the Local shall be used only for such purposes as may be specified in these Bylaws to transact and properly conduct its business, namely, payment of allowances and benefits, purchasing of stationery, books, cards, printing, payment of rent or any legally authorized bill against the Local.

2. No monies shall be loaned from the funds of this Local.

3. All expenses in excess of \$200.00 paid out of the funds of this Local, except the per capita tax and regular dinner meeting must be by vote of the Executive Council.

4. No appropriation of monies can be voted after 10:30 p.m.

5. The funds or property of this Local cannot be divided in any manner among the members individually, but shall remain the funds and property of the Local for its legitimate purposes, while seven (7) members remain therein. Should this

Local finally dissolve, its charter, books, papers and funds shall at once be forwarded to the International Secretary Treasurer.

ARTICLE XXIV AMENDMENTS

1. Any member may propose amendments to these Bylaws. The proposed amendments, unless otherwise provided herein, shall be submitted to the Local and read at one regular meeting and voted upon at the next meeting. Amendments may also be proposed, read and voted upon at a special meeting called for such purpose with at least thirty (30) calendar days advance notice to the membership of the nature of the amendment. Amendments approved by a majority vote of those members present and voting shall take effect immediately.

ARTICLE XXV STANDING RULES FOR UNION MEETINGS

Rule 1. The regular order of business may be suspended by a vote of the meeting at any time to dispose of anything urgent.

Rule 2. The Chairman of the meeting shall enforce these rules and may direct that members be removed from the meeting for violation of these rules.

Rule 3. Any conversation, by whispering or otherwise, or any other activity, which is calculated to disturb or may have the effect of disturbing a member while speaking or disturb the conduct of the meeting or hinder the transaction of business, shall be deemed a violation of order.

Rule 4. Attending the meetings under the influence of liquor is basis for removal.

Rule 5. No business done in the Local shall be made known to persons not entitled to such knowledge.

Rule 6. When a member wishes the floor, he/she shall rise respectfully, address the Chair, and if recognized by the Chair, shall state his/her name.

Rule 7. If two or more members rise to speak, the Chair shall decide which is entitled to the floor.

Rule 8. Every member, while speaking, shall adhere to the question under debate, avoid all personality and indecorous language, as well as any reflection on the Local or any member thereof; but all members shall have the right to express their views, arguments and opinions upon candidates and upon any business properly before the meeting.

Rule 9. No member shall interrupt another while speaking except to a point of order, which shall be definitely stated.

Rule 10. Any member, while speaking, being called to order by another, at the request of the Chair, shall cease speaking and be seated until the question of order is determined.

Rule 11. If any member shall feel himself/herself personally aggrieved by a decision of the Chair, he/she may appeal from the decision to the meeting without debate.

Rule 12. When an appeal is made from the decision of the Chair, said appeal shall be stated by the Chairman, to the meeting in these words: "Shall the decision of the Chair be sustained as the decision of this meeting?" The member shall have the right to state the grounds of appeal, and the Chair shall give reasons for the decision. Thereupon the members shall proceed to vote on the appeal without further debate, and it shall require a majority vote to sustain such an appeal.

Rule 13. No member shall speak more than once on the same question until all members wishing to speak have had an opportunity to do so; nor more than twice without the permission of the Chair, nor more than ten (10) minutes at one (1) time.

Rule 14. All resolutions and motions, other than the first six in Rule 18, or to accept or adopt the report of the committee, shall be reduced to writing by the Recording Secretary before the President shall state the same to the Local.

Rule 15. In presenting a motion, a brief statement of its object may be made, but no discussion of its merits shall be admitted until the question is stated by the Chair.

Rule 16. Any member may call for a division on a question when the subject admits thereof.

Rule 17. All votes other than amendments to the Constitution, Bylaws or Rules of Order may be reconsidered at the same or at succeeding meeting upon a motion made and seconded by two (2) members who voted in the majority, provided the membership agrees thereto; but after a motion to reconsider has once been lost, it shall not be renewed.

PRIVILEGED QUESTIONS

Rule 18. The following motions shall have precedence in the following order herein arranged: First, to adjourn; second, to close debate; third, to take the

previous question; fourth, to lay on the table; fifth, to postpone indefinitely; sixth, to postpone a definite time; seventh, to refer; eighth, to amend. The first four shall be decided without debate.

Rule 19. When a question is postponed indefinitely, it shall not come up again, except upon a majority vote.

Rule 20. The motion to close debate may be made by two (2) members, and shall be put in this form: "Shall the debate close now?" And, if adopted, the effect shall be to take the question on the original resolution to the exclusion of all debate and all amendments which have not been adopted.

Rule 21. 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 proposition.

Rule 22. A motion to adjourn shall always be in order except (1) when a member has the floor; (2) when members are voting.

Rule 23. A motion to adjourn having been put and lost shall not be in order again, provided there is further business before the Local, until fifteen (15) minutes have elapsed, or the business has been completed, whichever is earlier.