

Local 100

United Labor Unions

Constitution and Bylaws

Article One: Name

This Union shall be known as Local 100, United Labor Unions, and such additional names as Local 100 may designate.

Article Two: Purpose

The purpose of Local 100 is to advance through organization and united action the wages, working conditions, and general social welfare of its members. This Union will actively help workers to organize and represent themselves in collective bargaining and negotiations with their employers. The Union is committed to its members gaining a greater control over their own lives, work, and community through organizing. Local 100 is committed to building and maintaining a strong, democratic union and to working with labor, community, political, church, and other organizations to construct a more just society.

Article Three: Membership

Section One: Membership shall be open without discrimination of any kind to all workers in any recognized chapter or in any bargaining unit for which this Union is the recognized bargaining agent, and to all workers within any jurisdiction claimed by the Union as determined by the Executive Board.

Section Two: Membership shall be established by paying membership dues. Membership shall be maintained in any given month by payment of monthly dues on or before the last day of that month.

Section Three: All members in good standing shall have the right to participate in their chapter meetings or at any meetings that are appropriate and geographically accessible; all members in good standing shall have the right to vote in all general union elections; to be present at any meeting between the Union and their employer at which their grievances are discussed; and to have a copy of this Constitution and Bylaws.

Section Four: All members shall have a positive duty to comply with the provisions of this Constitution and Bylaws, and shall not interfere with the rights of other members.

Section Five: Retired members, unemployed members, and members of organizing committees recognized by the Executive Board shall be eligible for associate membership. Associate members shall be entitled to a voice in local union business, but shall have no vote. Dues for associate members shall be established by the Executive Committee.

Article Four: Dues

Section One: All members have a duty to share the cost of operating and maintaining their Union. Revenue for this Union shall be raised from membership dues and other lawful means. There shall be no fines or assessments whatsoever in Local 100.

Section Two: Monthly dues shall be 1.75% of the member's gross monthly wages or salary earned from the employer in connection with which the Union is the certified bargaining agent, or in connection with which the Union otherwise represents the member. .

Section Three: In collective bargaining agreements in which wages are determined by negotiation after Local 100 has become the certified representative, dues will be collected payable starting at the time of the signing of the initial collective bargaining agreement.

Section Four: The minimum dues for part-time workers are \$12.00 and the minimum dues for full-time workers are \$15.00. Dues are not assessed when an individual is on unpaid leave or lay-off.

Section Five: Minimum dues will be set along the same lines as regular dues at the discretion of the Executive Board, and subject to any ratification of the members required by 29 U.S.C. § 411(a)(3).

Section Six: Maximum dues shall be \$30.00 per month for initial collective bargaining agreements. Maximum dues shall increase by no more than \$5.00 per month over the previous applicable maximum dues during the term of any subsequent agreements.

Section Seven: Dues that are payable as provided in this Constitution and Bylaws must be paid to maintain membership in good standing. A member in arrears for three months may be notified by the Treasurer. A failure to pay all back dues shall, within one month such notice is forwarded to the last known address of the member, result in the member losing the rights and privileges of membership in the Union. Membership rights and privileges shall be reinstated upon full payment of all back dues in a prompt manner as determined by the Local 100 Board.

Section Eight: Any increase or decrease in the rate of dues may be made in accordance with the following procedure (a) a motion to change dues must pass by a majority vote of the Executive Board; (b) each member in good standing shall be notified by regular US Mail, postage pre-paid or by electronic mail of the proposed change at his or her last known address; and (c) the change shall be ratified at a regular or special meeting of the membership by secret ballot or by membership referendum by secret ballot. A majority of those voting shall decide the issue.

Article Five: Fines and Assessments

There shall be no fines or assessments.

Article Six: Chapters

Section One: A chapter shall be made up of all Union members with a workplace unit recognized by the Executive Committee.

Section Two: All decisions that affect an individual chapter and that do not affect other chapters or the Union as a whole may be made by the chapter.

Section Three: Collective bargaining agreements must be approved by the chapter membership at regular or special meetings of the membership. Because of the union's commitment to the highest wages, benefits, and standards, the Executive Board shall be kept informed throughout all collective bargaining to assure that the terms of the collective bargaining agreement are consistent with those negotiated by the Union in any of its chapters. The Executive Board shall have the power to recommend a position on ratification to the bargaining committee prior to any chapter ratification of the proposed collective bargaining agreement. Copies of the proposed agreement shall be made available to the chapter members, the Chief Organizer, and the Executive Board. A majority of those voting shall decide whether to approve or reject an agreement. No contract shall be in effect unless this procedure is followed.

Section Four: Authority to call a strike, where such action is legal, shall be vested in individual chapters. Any legally required notices of strikes may be approved by a simple majority. A strike may be called only a vote of 75% of those members in good standing voting in a regular or special chapter meeting. No chapter shall strike without previous notification to the Chief Organizer and the Executive Board in which the chapter states that it has complied with all applicable notice requirements and has exhausted all practicable means of achieving a fair and just negotiated settlement. If the chapter has not complied with these requirements, the Executive Board may veto the strike, and the chapter may not call the strike thus vetoed. No strike can receive support, including strike benefits, unless this procedure is followed.

Section Five: Chapter members shall select their own stewards, at a meeting of Chapter members. Chapters will be encouraged to have a minimum of one union steward for every twenty members and a maximum of one steward for every ten members. Chapters with more than one steward may select chief stewards. The term of office for stewards shall be one year. A steward may resign by informing the chapter Chairperson, the Chief Steward, or the Executive Board.

Section Six: Duties of stewards shall include investigations and processing of grievances, organizing other employees at their worksites, making contract recommendations, and assisting the negotiating committees among other duties. Chapter members may remove a steward not fulfilling such duties through procedures established by the Executive Board.

Section Seven: Chapter members may elect, at a regular or special membership meeting, after reasonable notice of such meeting and the purpose thereof is provided to members in the Chapter a Chairperson, a First Co-Chairperson, and a Second Co-Chairperson, and/or such other officers as they may deem necessary. The term of office for chapter officers shall be one year or until a successor is elected. The Chapter Council shall include stewards as well as elected officers, and an officer may be a steward as well. The Chapter Council may appoint members of a bargaining committee for the negotiation or renewal of a collective bargaining agreement. The

Chapter Council shall have the initial authority to determine bargaining demands in connection with such bargaining.

Section Eight: Duties of chapter officers shall include keeping the membership and the Executive Board informed of chapter activities; calling, planning, and chairing regular and special chapter meetings; assisting stewards and negotiating committees in representing members' interests to the employer; and serving as the chapter representative to any other internal union structures. The Chapter Chairperson shall schedule a meeting of the Chapter Council at the request of any officer of the Chapter, or any twenty members belonging to the Chapter. Regularly scheduled meetings of the Chapter Council are encouraged. All meetings of the Chapter Council shall be open to any member in good standing.

Article Seven: Officers

Section One: The officers of the union shall include the general officers: a President, a Vice-President, a Secretary, a Treasurer, and a Chief Organizer.

Section Two: Officers shall serve terms of three years.

Section Three: A member who otherwise fulfills the qualifications for an office may become a candidate for said office either (a) by being placed on a slate by a Nominating Committee appointed by the Executive Board; or (b) by being nominated from the membership at least 14 days before the election with signatures from at least 5% of the union members and from a least 6 chapters or all chapters if there are fewer than 6. An Elections Committee appointed by the Executive Board shall decide all questions on nominated individuals' qualifications for offices in this Article and on the validity of specific nominations.

Section Four: Officers shall be elected according to the following procedure: at least 21 days before the election, notice of the election starting date, time, duration, and place shall be mailed by regular U.S. Mail, postage pre-paid or by electronic mail to the last known address of each member in good standing. At least 5 days before the election the official ballot shall be forwarded in a similar manner to the last known address of each member in good standing for any contested positions. Voting may take place at designated worksites by secret ballot. All members in good standing shall be qualified to vote for each officer. At each balloting location the Union will provide the list of eligible voters, and members shall first be checked against this list. A candidate may have one observer at each balloting location. A majority of those voting shall decide the issue, and ballots shall be preserved for one year. Voting may all be done by mail ballots, with ballots forwarded to the last known address for each member in good standing in the manner provided in this Section at the time notice of the election is provided. In the case of mail ballots, the notice of election will provide the address for forwarding completed ballots and the deadline by which ballots must be received to be counted. Measures may be taken to ensure that only members in good standing may cast a mail ballot, provided that the secrecy of each ballot is preserved. Elections of officers shall be called by the Executive Board not less frequently than every three years.

Section Five: The President will be responsible for discharging this Union's executive functions as determined by the Executive Board. In the event this Union may be a member of any international or larger body and may send a second delegate to such convention, the President shall serve as that delegate. To qualify for the office of President, one must be a member in good standing and have been such continuously for at least 2 years.

Section Six: The Vice-President will be responsible for discharging this Union's executive functions should this Union's President be absent or incapacitated as determined by the Executive Board. In the event this Union may send a third delegate to any international or larger body, the Vice-President shall serve as that delegate. To qualify for the office of Vice-President, one must be a member in good standing and have been such continuously for at least 2 years.

Section Seven: The Secretary will be responsible for overseeing this Union's records as determined by the Executive Board. In the event this Union may send a fourth delegate to any international or larger body, the Secretary shall serve as that delegate. To qualify for the office of Secretary, one must be a member in good standing and have been such continuously for at least 2 years.

Section Eight: The Treasurer will be responsible for overseeing this Union's financial affairs as determined by the Executive Board. In the event this Union may send a fifth delegate to any international or larger body, the Treasurer shall serve as that delegate. To qualify for the office of Treasurer, one must be a member in good standing and have been such continuously for at least 2 years.

Section Nine: The Chief Organizer will be responsible for the day-to-day operations of this Union, including its administrative, operating, organizing, bargaining, and community affairs. Subject to the operating needs of the Union, the Chief Organizer shall employ such personnel and allocate staff and financial resources as is considered appropriate or necessary to carry out the purposes of this Union. The Chief Organizer shall serve as the Union's automatic representative to any international or larger body, and shall have any other duties as set out in this Constitution and Bylaws or as determined by the Executive Board. To qualify for the office of Chief Organizer, one must have at least 15 years of professional organizing experience; be a member in good standing; and have been such continuously for at least 2 years.

Section Ten: In the event these articles do not provide for an adequate number of delegates for any convocation of an international or larger body, the Executive Board may hold an election or establish such procedures for the selection of additional delegates or alternates at a regular or special meeting of the membership.

Section Eleven: An officer may resign in writing to the Executive Board. Vacancies shall be filled by appointment of the Executive Board until the next regular election.

Section Twelve: General officers of this Union shall not be paid by Local 100, except in the case of the Chief Organizer where a salary may be set by the Executive Board.

Article Eight: Executive Board

Section One: This union shall be governed by an Executive Board which shall consist of the officers and other elected board members. The Executive Board may establish one or more positions of the Executive Board, with such offices to be filled in the same manner as elections for officers. The term of office any such additional positions shall be for three years.

Section Two: The Executive Board should meet at least quarterly or as often as necessary. Special meetings may be called by the President, the Chief Organizer, or a majority of the Board members. Attendance at all Board meetings is a minimum requirement of office, except in the case of illness, absence from the area, work scheduling conflict, or other emergency. Given the geographical reach of the union, Executive Board meetings may be telephonic.

Section Three: The Executive Board may delegate, consistent with the Constitution, to any of its officers or agents any of the function or powers herein set forth, except the power to fill vacancies in office.

Section Four: The Executive Board may act through 2/3 written consent and any action, order, or decision signed by 2/3 of the Board members shall have full effect. The Board may also act by means of a telephone or email poll. The President, or the Chief Organizer with the knowledge and consent of the President, shall poll the Board members, and any action, order, or decision approved by 2/3 of the Board members shall have full effect. Written memoranda regarding the action must follow such a telephone poll.

Section Five: The Executive Board may affiliate this Union with such organizations and bodies as the Board feels will effectuate the mission and purposes of this Union and the interests of its members.

Section Six: The Executive Board may affiliate to the Union by merger, consolidation, or otherwise any existing labor organization and in connection therewith may grant until the next regularly scheduled election executive positions and/or representation on the Executive Board in the form of additional Vice-Presidents and/or Executive Board members in excess of the total number that may be in existence at the time. The terms and conditions of such affiliations, mergers, or consolidations may include the temporary waiver of certain other provisions of this Constitution for the affiliating or merging organizations for the temporary periods of time that shall be set forth in the agreement of affiliation or merger.

Section Seven: Board meetings shall be run according to procedures and rules of order established by the Executive Board in accordance with this Constitution and Bylaws.

Section Eight: The Executive Board shall have the authority to conduct the business affairs of this Union, including the authority to contract, pledge, obtain credit, authorize or make expenditures, or sustain financial liability or to delegate such authority to any officer, assistant officer, agent, or employee of this Union; provided however, that except in the case of delegation of authority to take a specific act, any delegation to make normal operating expenditures shall be

limited to the usual and customary business of the Union consistent with any budget adopted by the Executive Board. The Executive Board may also establish committees to help carry out organizational purposes, including political action committees; to arrange for membership referenda to validate its actions; and to arrange for audits by certified public accountants.

Article Nine: Staff

Section One: The Chief Organizer shall have responsibility for hiring and firing, assignment, and overall staff direction.

Section Two: The average salaries of staff members should be aligned appropriately with the negotiated salaries within the Union.

Article Ten: Due Process

Whenever charges, including charges of dishonestly, breach of trust, serious misconduct, violation of the provisions of this Constitution, denial of rights of any members, or conduct detrimental to the welfare of this Union (hereinafter referred to as "Misconduct") are made against any member or officer of the Union, the Executive Board shall respond fully and appropriately to assure full and fair treatment of all such matters for the overall health and welfare of the Union and its members, provided, however, that no fines or assessments shall be made and all efforts to achieve directly negotiated and mediated settlements and resolutions shall be required. In particular, prior to the suspension or expulsion from the Union, or removal from office for Misconduct, the person accused of such Misconduct shall: (i) be provided written notice of any charges or allegations of Misconduct not less than 14 days before any hearing; and (ii) have a right to a full and fair hearing of the Executive Board at which the accused will be given an opportunity to submit evidence. The Executive Board shall have the authority to call a hearing to consider any allegations or charges of Misconduct, and to act to remove from office or to suspend or expel from the Union any person engaged in Misconduct. No member of the Executive Board who is accused of or alleged to have engaged in such Misconduct shall participate in the decision of the Executive Board following a hearing of the matter.

Article Eleven: Constitution

Section One: The Constitution and Bylaws may be amended by 90% or more of the Executive Board voting for same, followed by a majority ratification by general membership ballot or membership meeting.

Section Two: Local 100 is the founding local of the United Labor Unions. The Executive Board may provide For two or more local unions of United Labor Unions, and may provide for the procedure for the establishment of such local unions, subject to any ratification of the members as required by applicable law.

Article Twelve: Our History and Our Future

This Union was founded as Local 100, United Labor Unions in 1979. Local 100 affiliated with the Service Employees International Union and was chartered as Local 100, SEIU, on May 25, 1984, because of SEIU's clear commitments to advancing our causes. The Association of Community Organizations for Reform Now (ACORN) was instrumental in the initial founding of the union, and we have shared a history of partnership with ACORN in many of our communities in improving the lives of our members and their families. On November 7th, 2009, Local 100 and SEIU embarked on different paths and independent futures, and Local 100 once again became Local 100, United Labor Unions, continuing our commitment to organizing the unorganized aggressively with energy and innovation, especially lower waged and informal workers and others desirous of initiating concerted actions to advance collective interests and to assertively supporting and advancing our members interests on the job, in the community, and anywhere the organization can be a voice and a force in their struggles and aspirations.