

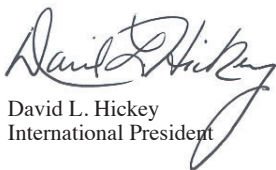
**TO THE DEDICATED SECURITY
OFFICERS WHO ARE THE SPFPA**

As I begin my third term as SPFPA International President, I reflect upon the foundation of our great democratic Union is its Constitution and By-Laws. From our founding in 1948 to the present, it has survived during challenging times and has directed our continued growth and progress, and placed us in the forefront of our industry.

This Constitution has served us well and sets forth the principals which guide the representation of security professionals throughout the United States, Canada, Puerto Rico, Guam and Saipan. It is the law of the International and Local Unions, and binding on each member.

The theme of Convention 2010 was "Stay the Course" to improve and increase service and education to our expanding and diversified membership. This amended Constitution will assist that effort. It represents the foresight and dedication of Convention delegates in enhancing our ability to survive in a global economy and to meet the demands of an ever changing world.

Our Constitution is a living document. It must be interpreted wisely, applied uniformly and enforced fairly. If we are faithful to that obligation, the Constitution will continue to serve us well, and our Union will continue to be the premier representative of security professionals worldwide.



David L. Hickey
International President



Article	Table of Contents	Page
I	Name	1
II	Objects	1
III	Constitution and By-Laws	2
IV	International Headquarters	2
V	Jurisdiction	3
VI	Membership	3
VII	Powers of Administration	6
VIII	Conventions	7
IX	Officers and Elections	8
X	Salaries	12
XI	Life Insurance and Pensions	14
XII	Duties of the International Executive Board	16
XIII	Duties of the International President	21
XIV	Duties of the International Secretary-Treasurer	23
XV	Duties of the International Board of Trustees	24
XVI	Fiscal Year	25
XVII	Initiation Fees and Dues.....	25
XVIII	Transfer and Withdrawal Cards	32
XIX	Contracts and Negotiations	34
XX	Charges and Trials of International Officers	35
XXI	Rights of Members.....	37
XXII	Appeals	41
XXIII	Amalgamated Local Unions	45
XXIV	Local Union Charters	46
XXV	Local Union Officers	48
XXVI	Union Officers, Stewards and Committeepersons	53
XXVII	Installation Ceremony	54
XXVIII	Duties of Local Union Officers	55
XXIX	Duties of Local Union Members	59
XXX	Duties and Powers of Subordinate Bodies.....	60
XXXI	Initiation Ceremony	61
XXXII	Opening and Closing Ceremonies	61
XXXIII	Local Union Funds.....	62
XXXIV	Local Union Dues	63
XXXV	Local Union Audits	63
XXXVI	Strike Authorization	65
XXXVII	Strike Authorization Rules And Regulations	66

Subject	Extended Table of Contents (For Clarification)	See Articles
Eligibility for International Officers		V, VI, IX, XVII & XVIII
Eligibility for Local Union Officers		V, VI, XVII, XVIII & XXV
Eligibility for Stewards and/or Committee Persons		V, VI, XVII, XVIII & XXVI
Members in Continuous Good Standing		VII, XVII, & XVIII
Selecting a Trial Committee and its Duties		XIX & XXI
Out of Work Credits		XVII & XVIII

CONSTITUTION AND BY-LAWS

of the

INTERNATIONAL UNION, SECURITY, POLICE AND FIRE PROFESSIONALS OF AMERICA (SPFPA)

ARTICLE I

Name

This organization shall be known as the INTERNATIONAL UNION, SECURITY, POLICE AND FIRE PROFESSIONALS OF AMERICA (SPFPA) hereinafter referred to as the International Union.

ARTICLE II

Objects

Security, police and fire professionals have assumed a prominent and important role in society, and in both the private and public sectors of employment. Dedicated men and women provide continuous protection of persons and property in every type of business and government enterprise. Such security professionals are entitled to protection of their human, social and economic rights through self-organization, concerted activity and collective bargaining.

This International Union subscribes to this philosophy and declares that its objects shall be as follows:

To uphold and to bargain for decent standards of living by establishing, through collective bargaining, decent hours and wages for our members in accordance with their needs and desires and to strive for working conditions compatible with human dignity.

To obtain justice for all its members by utilizing the conference tables for that purpose in accordance with all applicable laws.

To vote and work for the passage of improved legislation in the interest of all labor, both State and National, and to work for the repeal of all repressive legislation.

This International Union and its affiliated local unions and units will not discriminate against members or withhold membership because of race, color, creed, national origin, age, sex, handicap, religion or marital status.

And, in general, it shall be the purpose of this International Union to elevate and improve the intellectual, social and economic conditions of its members.

ARTICLE III

Constitution and By-Laws

This Constitution and By-Laws shall govern this International Union, Security, Police and Fire Professionals of America (SPFPA) and its affiliated Local Unions, and can be amended only by a majority vote of the delegates at succeeding Conventions; provided, however, that during the interim between Conventions, this Constitution and By-Laws can be amended by a majority vote of the total International Membership voting in all Local Unions.

The International Executive Board shall be empowered by a two-thirds vote to make such interim changes in this Constitution and By-Laws applicable only until the next regular Constitutional Convention, as may from time to time be necessary to conform this Constitution and By-Laws with any applicable laws.

ARTICLE IV

International Headquarters

The Headquarters of this International Union shall be located in Detroit, Michigan, Metropolitan area as determined by the International Executive Board.

ARTICLE V

Jurisdiction

This International Union, Security, Police and Fire Professionals of America (SPFPA) shall have the power to organize and hold jurisdiction over all Guards, Security Officers, Security Police Officers, Fire Protection and all other employees performing protection and security activities for private and governmental employers, throughout the United States, Canada and Puerto Rico.

ARTICLE VI

Membership

Section 1. This International Union shall be composed of employees eligible for membership as defined in Section 2.

Section 2. All employees employed as Guards, Security Officers, Security Police Officers and Fire Protection as defined in the Labor Management Relations Act, 1947 (as amended), to enforce against employees and other persons rules to protect the property of the private or public employer or to protect the safety of persons on said employers' premises shall be eligible for membership in this International Union.

Section 3. No person who is a member of any subversive organization advocating the overthrow of the Government of the United States or Canada by subterfuge or violence, or who subscribes to such disloyal philosophy, shall be eligible for membership in this International Union, or any of its affiliated Local Unions, or units thereof.

Section 4. Any person eligible to become a member of this International Union may apply for membership to the Local Union having jurisdiction. All applicants for membership in any Local Union of this International Union shall fill out an official application form provided by this International Union. All applications thus received shall be automatically accepted by the Local Union. Not later than sixty (60) days from the date the application is received by the Financial Secretary-Treasurer of the Local Union, it may be rejected for causes as set forth in the Constitution and By-Laws of the International Union or the Local Union.

Section 5. Membership shall date from the first day of the month for which dues are paid; provided, however, that if dues have been waived, membership shall date from the first day of the month in which the application for membership is received.

Section 6. Applications for membership rejected by the Local Union shall not be reconsidered until thirty (30) days have elapsed.

Section 7. The original application form signed by each member shall be retained by the Local Union for its record and official receipt shall be given to each new member for all monies paid. All receipts shall be made out in duplicate, the original to be given to the member, the duplicate to be retained by the Local Union and made available to this International Union upon request. These duplicate receipts may be destroyed after a Local Union audit upon written approval of the International Secretary-Treasurer.

Section 8. No new member will be recorded at the International Office nor will any initiation fees or per capita taxes be accepted for new members until a monthly report is received from the Financial Secretary-Treasurer of the Local Union.

Section 9. Any Local Union expelling any member for cause shall notify the International Secretary-Treasurer and the latter shall notify all Local Unions of this fact forthwith. A member who has been suspended or expelled by any Local Union shall not be eligible for membership in any other Local Union until all claims or charges against such member have been satisfactorily settled with the Local Union suspending or expelling and written notice to this effect furnished the Local Union to which such member seeks admission.

Section 10. No application shall be accepted from the one designated as a head of a department, directing company policy or having the authority to hire or discharge employees. Members of the Union who are promoted to such positions shall be issued a Withdrawal Card by the Local Union in conformity with Article XVIII of this Constitution and By-Laws.

Section 11. All members of any Local Union are also members of this

International Union and subject to the orders, rulings and decisions of this International Union.

Section 12. This International Union and the Local Union to which a member belongs shall be his exclusive representative for the purpose of collective bargaining with respect to rates of pay, wages, hours of employment and other conditions of employment or compensation and for the negotiation and execution of contracts with employers covering all such matters.

Section 13. This International Union and the Local Union to which a member belongs are by him/her irrevocably designated, authorized, and empowered to appear exclusively and act for him/her and on his/her behalf before any board, court, committee or other tribunal in any matter affecting his/her status as an employee, and exclusively to act as his/her agent to represent and bind him/her in the presentation, prosecution, adjustment and settlement of all grievances, complaints or disputes of any kind or character against the employer, as fully and to all intents and purposes as he/she might or could do if personally present.

Section 14. The term “members” or “membership” as used in this Constitution and By-Laws shall mean only those persons paying their regular initiation fee and all regular dues and who are not delinquent in their payments as provided in Article XVII, and excepting those members who may be entitled to “out-of-work credits” as provided in Article XVII of this Constitution and By-Laws.

Section 15. (a) Any member in good standing who is retired, shall be entitled to a “Retired Membership Status” which, without being required to pay membership dues during the period of such retirement, shall entitle such member to a voice but no vote in Local Union Affairs. Retired individuals who elect to receive “Retired Membership Status” under this section shall not be allowed to nominate candidates or run for office in the Local Union or the International Union, during the period of such “Retired Membership Status.” Such “Retired Membership Status” shall automatically cease if the retired member accepts employment in a non-guard or non-security capacity. Appropriate cards denoting such membership status shall be prepared by the Union and furnished at cost to Local Unions upon

request. The regular withdrawal-transfer provisions of this Constitution shall be applicable if such retired member returns to active employment.

(b) A retired member who maintains membership in good standing is eligible for nomination and election to Local Union office. The dues of such retired member shall be equal to the dues he/she paid at the time of retirement. A retired member who is employed by the International Union or a Local Union shall be required to pay dues in accordance with Article XVII, Section 3 and Section 5.

ARTICLE VII

Powers of Administration

Section 1. This International Union shall be governed by its membership in the following manner:

(a) The highest Tribunal shall be the International Convention composed of Delegates democratically elected by the membership of the Local Unions.

(b) Between Conventions, the highest authority shall be the International Executive Board which shall meet at least annually, or as often as necessary subject to the call of the Officers of the International Executive Board.

(c) Between meetings of the International Executive Board, the administrative authority of this International Union shall be vested in the International President. The International President shall be responsible to the International Executive Board for the Administration of the Union between International Executive Board Meetings, according to this Constitution and By-Laws, the actions of the International Convention and the decisions of the International Executive Board. He/she shall consult the other International Executive Officer on all matters of major importance and shall report his/her actions to the International Executive Board for approval or rejection.

(d) In case of the absence or incapacitation of the International President, his/her powers and duties shall be assumed by the International Secretary-

Treasurer, or member of the International Executive Board, if designated by the President.

ARTICLE VIII

Conventions

Section 1. (a) This International Union shall meet in Convention as close to five (5) years from the date of the last Convention as is practical, provided however, that the date shall be arranged by the International Executive Board to be no sooner than four (4) years and ten (10) months and no later than five (5) years from the last Convention. The place for the Conventions shall be designated by the International Executive Board.

(b) Emergency Conventions of this International Union must be called by the International President, aggregate membership of not less than thirty percent (30%) of the membership as reported to the last Convention.

The Local Unions requesting an emergency Convention must state the reasons why such Convention is desired, the place and date for the Convention and the dates for mailing out and returning ballots. It shall be the duty of the International Secretary-Treasurer to send out the Call, to state such reasons and the place and dates involved in transmitting the proposal to Local Unions for a referendum vote.

The reasons for, and against, such Convention shall be published and forwarded to all Local Unions. It shall be mandatory that all Local Unions hold a Secret Ballot Vote on the question of calling a Special Convention. All Local Unions shall vote their decision on the question involved through Local Union procedure by Secret Ballot.

Local Union Election Committees shall tabulate the ballots and send the Local Union's Vote to the International Secretary-Treasurer, who shall set a deadline for a return date and publish the "Yes" or "No" Votes of each Local Union in the next issue of the official publication.

Section 2. The International Executive Board shall determine the order of business, establishment of a proper quorum, the eligibility and election of delegate representation by Secret Ballot, allocation of voting power and

all other pertinent matters for the conducting of the next Convention and any intervening emergency Convention called pursuant to Section 1 (b) above. All Local Unions shall be advised at least ninety (90) days in advance of the date set for the Convention.

ARTICLE IX

Officers and Elections

Section 1. The elective officers of this International Union shall consist of one (1) International President, one (1) International Secretary-Treasurer, one (1) Vice President At Large, and such International Executive Board members as are designated in Section 3. of this Article. A three (3) member International Board of Trustees shall also be elected at the Convention.

Section 2. A Vice President shall be nominated and elected at the Convention in each Region as has been established at least ninety (90) days prior to the date set for the Convention. Any member in continuous good standing for one (1) year and who has been a member in the Region for at least ninety (90) days shall be eligible to be nominated and elected.

Section 3. The International Executive Board shall consist of a Vice President elected from each Region together with the International President, International Secretary-Treasurer and Vice President At Large.

Section 4. (a) If conditions warrant, the International Executive Board, by a two-thirds (2/3) vote may expand, rearrange, redistrict, consolidate, dissolve or create additional regions as may be required and may appoint an additional Vice President for each new region, who shall hold office as International Executive Board member until the next Convention.

(b) If conditions warrant, the International Executive Board, by a two-thirds (2/3) vote, may place a Vice President or International Representative on reduced time, lost-time or part-time status. By a two-thirds (2/3) vote the International Executive Board may assign or return a Vice President or International Representative to full-time status, if conditions warrant. The International Executive Board shall act in accordance with the criteria and procedures set forth in the IEB Resolution dated October 28, 1993, as amended by the Convention.

Section 5. The term of office of elective officers of the International Union shall begin with their installation and continue for the period up to the next Convention and until their successors shall have been qualified and installed. Full-time Officers who have been elected at a regular Constitutional Convention, and who decline to run for re-election or are not re-elected at the next regular Convention may remain an employee of the International Union at the same salary and benefits until the completion of five (5) years of full-time service or two (2) calendar weeks, whichever is later, and they shall assist their successors in the transition of union business and property. In the event that Article VIII, Section 1 of this Constitution is amended to provide for regular Conventions earlier than four (4) years and ten (10) months, the transition of office period set forth above shall be limited to two (2) weeks. An International Trustee is prohibited from holding any other office in this International Union whether elective or appointive.

Section 6. Nominations and election of all elective officers of this International Union shall take place in the regular order of business of the Convention and the election shall be determined by a per capita majority vote of the delegates voting.

Section 7. Election of International Officers and International Executive Board Members shall be by roll call vote. Only the delegates from the Local Unions in each Region shall nominate and vote for their Vice President. All delegates may nominate and vote for the offices of International President, International Secretary-Treasurer, Vice President At Large, and for the International Trustees. In the event that any candidate for International office or International Trustee is unopposed, such candidate may be declared elected by acclamation.

Section 8. (a) No member shall be nominated or elected as an officer of this International Union unless he/she has been in continuous good standing for a period of one (1) year, and thereafter the member must remain in continuous good standing throughout the term of office.

(b) Any member drawing retirement or pension benefits from this International Union shall not be eligible for election to or to hold any elected office in this International Union.

Section 9. Incoming elective officers of this International Union shall be obligated and installed immediately after being elected. The statement of obligation shall be the same as that provided for Local Union officers. Protests concerning the election of any International Officer, Trustee or Vice President can be filed only by a member in good standing and must be filed within fourteen (14) days after the close of the Convention and in the manner prescribed by the Rules for the Constitutional Convention adopted at the outset of said Convention. Provided, however, protests to the election of a Vice President must be filed by a member in good standing in that Region. Said rules shall govern the manner in which such protests are considered and decided. Pending decision and resulting action on any such protest, the elective office(s) involved shall be occupied by the candidate(s) installed pursuant to this Section immediately after the election.

Section 10. In the event of death, removal or resignation of the International President, International Secretary-Treasurer or Vice President At Large, the International Executive Board shall, as soon as possible, select an eligible replacement. It shall require a majority vote of all members of the International Executive Board to elect a successor.

Section 11. In the event a vacancy occurs on the International Executive Board because of the death, resignation, removal or promotion of a member, or other cause, the International Executive Board shall, within thirty (30) days, call a special regional convention for the region which the International Executive Board Member represented. Such vacancy shall be filled by a member elected by the delegates from the Local Unions in the Region. In the event of such vacancy occurring within thirty-six (36) months before a regular Constitutional Convention, no election shall take place and the International Executive Board shall, as soon as possible, select an eligible replacement from the Region that the previous member had represented. It shall require a majority vote of all members of the International Executive Board to select a successor. Provided, however, that this Section shall be inapplicable if the International Executive Board takes action pursuant to Section 4 of this Article.

In any such special regional convention, the delegates from each Local Union who had been elected to the preceding regular Constitutional Convention shall serve as delegates to the Special Convention. Each Local

Union shall carry the same total vote as it carried at such previous regular Constitutional Convention. If there are vacancies in the voting delegation they shall be filled in the following manner:

(a) By alternates where the same were elected to the preceding Constitutional Convention;

(b) If the number of delegates is insufficient after applying (a), by reapportioning the votes of the Local Union among the remaining delegates;

(c) If the number of delegates is insufficient after applying (a) and (b), by electing additional delegates, these additional delegates to be nominated and elected by secret ballot at duly called membership meetings.

Section 12. In the event of death, removal or resignation of any member of the International Board of Trustees, the International Executive Board shall, as soon as possible, select an eligible replacement who will serve for the balance of his/her predecessor's term of office. It shall require a majority vote of all members of the International Executive Board to select a successor.

Section 13. Should the International Executive Board create a new Region between the 90th day prior to the Convention and the close of the Convention or should the Convention establish new regions, there shall be nominations and an election in the Region to elect the new Vice President within 30 to 90 days from the close of the Convention.

Duties of Vice Presidents

Section 14. (a) The Vice President for each Region shall have primary responsibility for carrying out the objectives of this Union in that Region including organizing, negotiating and administering collective bargaining agreements, servicing members, engaging in legislative activity, maintaining records and otherwise performing duties as may be assigned by the International Executive Board or the International President.

(b) Between meetings of the International Executive Board the Vice Presidents shall report to and be subject to the direction of the International

President. Vice Presidents may be assigned duties in any Region or special duties by the International President.

Duties of Vice President At Large

Section 15. (a) The Vice President At Large shall work under the direction of the International President.

(b) The Vice President At Large shall perform such duties as are assigned to him or her by the International President or International Executive Board.

ARTICLE X

Salaries

Section 1. Established annual salaries of the International President, International Secretary-Treasurer, Vice President At Large, Vice Presidents and International Representatives shall remain in effect subject to annual increases as set forth in Section 3 of this Article.

Salaries will be payable in weekly installments commencing with the first pay period following conclusion of the Convention.

Section 2. Vice Presidents (member of the International Executive Board) except those on full-time Union status, shall receive their lost time compensation and expenses provided for in this Article.

Section 3. Any annual increase in salaries provided for in Section 1 of this Article may be in an amount equal to the average of all wage increases negotiated and/or granted to members in each fiscal period of June 1 through May 31 thereafter, by all employers with whom the SPFPA has collective bargaining agreements but not to exceed four (4) percent in any such fiscal period.

Section 4. (a) The International President, International Secretary-Treasurer, International Executive Board Members and International Union Representatives, when traveling on Union business, or when away from their duly designated home offices, shall be allowed transportation fare by the shortest route to and from their destination, a per diem allowance in ac-

cordance with IRS guidelines, hotel and incidental expenses. In addition to the above, when these officers are required to incur organizational expenses for the good of the International Union, such organizational expenses shall be presented in such itemized form for payment; it being understood that payment of all such items is under the control of the International Executive Board Members. The expense accounts of the International Executive Board Members and International Representatives shall be strictly itemized and checked and these accounts be made available to any interested Local Union.

(b) The travel allowances provided in paragraph (a) of this Section shall continue in effect unless and until changed by the International Executive Board, which is empowered and authorized to determine and prescribe, from time to time, the amounts to be paid International Officers, Executive Board Members, International Representatives, and staff employees of the International Union as reimbursement of expenses reasonably incurred in the discharge of their duties and obligations to the International Union, including per diem allowances while on duty at their designated home offices and an allowance toward the cost of owning and maintaining an automobile used in the discharge of their duties.

Section 5. The compensation of any member of this International Union performing services under the direction of the International Executive Board shall be an amount equal to his/her lost earnings from regular employment.

Section 6. The salaries of staff employees of this International Union shall be set, or, in the case of organized employees, negotiated by the International Executive Board which may delegate authority to the International President to negotiate with a union representing staff employees.

Section 7. Members of the International Board of Trustees, while in the performance of their duties, shall be compensated at the maximum rate payable to International Vice Presidents.

Section 8. When any member is required by this International Union to perform services away from his/her home, he/she shall receive the same travel and expense allowances as paid to International Vice Presidents,

provided that an itemized bill shall, in all cases, be rendered to the International Secretary-Treasurer.

Section 9. All salaried International Officers, International Representatives and permanent employees who are members of this International Union shall be granted the following minimum yearly vacation allowance:

Services of six months but less than one year—One week vacation with pay;

Services of one year but less than five years—Two weeks vacation with pay;

Services of five years or more—Three weeks vacation with pay;

provided, however, that no member shall receive a vacation allowance less than the total vacation pay he/she would have received had he/she remained at his/her regular employment. Such vacation shall not interrupt the operations of the International Office.

ARTICLE XI

Life Insurance and Pensions

Section 1. All full-time salaried International Officers, International Representatives and employees who are members of this International Union and who meet life insurance underwriting requirements determined by the International Union's insurance provider shall be provided Life Insurance in the amount of Fifty Thousand Dollars (\$50,000.00) coverage, the cost to be borne by this International Union.

Section 2. The International Executive Board is empowered to formulate, maintain, and amend appropriate retirement plans for full-time elected International Officers and appointed International Union Representatives (collectively the "Officers"). Any plan shall be administered by the International Executive Board, which shall have authority to appoint a bank or trust company as trustee over the assets of the plan. These plans may include (but not exceed) the following:

(a) A 401(k) plan providing the opportunity for participants to make elective deferrals of compensation to the plan, to the maximum extent allowed by law. An Officer shall be eligible to participate on the first day of the month following the month in which the Officer takes office, regardless of their eligibility to participate in the defined benefit pension plan referenced in the following paragraph. Participants shall be fully vested in their accounts at all times and the retirement age under the plan shall be 60.

(b) A defined benefit pension plan for Officers and re-elected officers who were first elected prior to May 9, 2005. Officers first elected on May 9, 2005 shall be eligible to participate only in the 401(k) plan referenced in the preceding paragraph. Participants shall be fully vested in their accounts upon completion of 5 years of service with the Union. The retirement age under the plan shall be 60. The Union shall make contributions as necessary and required to maintain the plan in sound actuarial condition under accepted actuarial principles.

Section 3. All full-time elected International Officers and appointed International Union Representatives who retire under the provisions of either Retirement Plan shall be entitled to the continued full payment of their medical and hospitalization insurance (including spouses) unless they are covered by their former employer. In addition, each retiree shall continue to be covered by the amount of Life Insurance as set forth in this Article. Officers and representatives who retire after June 1, 2000 shall be covered by Life Insurance purchased with a premium which remains level over the life of the insurance policy, such premium level for each retiree to be determined by the premium required to purchase the amount of Life Insurance coverage as set forth in Section 1 for that retiree on the date of his or her retirement. The sole limitation to the immediately preceding sentence is that the face amount of Life Insurance coverage for a retiree shall not be permitted to drop below \$5,000, and the premium necessary to purchase the minimum \$5,000 coverage shall be paid by the International Union.

ARTICLE XII

Duties of the International Executive Board

Section 1. The International Executive Board shall execute the instructions of the International Convention, and shall be the highest authority of the International Union between Conventions, subject to the provisions of this Constitution and By-Laws and shall have the power to authorize strikes, issue Charters, and punish all subordinate bodies for violation of this Constitution and By-Laws.

Section 2. (a) Whenever it shall appear to the International President that disputes, factionalism, or other conditions exist within a Local Union or Unit thereof, which seriously impairs its ability to perform its functions, particularly in the representation of its members in collective bargaining or in the grievance procedure, or which threaten the continued existence of the Local Union or Unit, he/she may reorganize the subordinate body by ordering a special election to be held within thirty (30) days after the members in good standing are notified by mail. Under no circumstances shall more than one special election be held within a year's period in any one subordinate body. The elected officers of the subordinate body shall continue to hold office until the election and may run for re-election. The International President may assign not more than two representatives to work with the elected Local Union election committee.

(b) Whenever it shall appear to the International President that it is necessary to take over the administration of a Local Union or Unit thereof, in order to prevent or correct corruption or financial malpractice, or to assure the performance of collective bargaining agreements, or other duties as a bargaining representative, or to restore democratic procedures within any subordinate body, or otherwise to assure carrying out the legitimate objectives of this International Union by such subordinate body the said International President may issue to the subordinate body an order to show cause before the International Executive Board, or a hearing officer(s) designated by the Board, why corrective procedures should not be instituted. Such corrective procedures include suspension or revocation of the Charter of the subordinate body, suspension of any or all of the officers of the subordinate body or the appointment of an administrator to conduct the affairs of the subordinate body until they shall have been properly adjusted. The subordinate body shall have reasonable notice, not less than ten (10) days,

of such hearing which may be held at the International Offices or in the City where the subordinate body is located as the International President shall order. The subordinate body may be represented at any such hearing by counsel and shall have the right to cross-examine witnesses produced in support of the proposed corrective action, and to produce witnesses and give other evidence in its own behalf. Pending any hearing as herein above provided the International President may suspend the officers of a Local Union and take over the affairs of the office. At the conclusion of any hearing before a hearing officer(s), such officer(s) shall prepare and submit to the International Executive Board a report containing findings of fact, conclusions and recommendations.

(c) Pending any hearing as provided in Paragraph (b) of this Section, the International President may take any action described in Paragraph (d) of this Section but in such case the hearing shall be held within fifteen (15) days of such action.

(d) After such hearing, the International Executive Board by majority vote may:

(1) Withdraw the notice to show cause; or

(2) Suspend one or more officers in which case they may appoint any member or members of the subordinate body in his/her or their places;

(3) Appoint an administrator of the subordinate body with such powers as the International Executive Board, may confer upon him/her, including the power to suspend any or all of the officers of the subordinate body, to appoint their successors or themselves to administer all affairs of the subordinate body utilizing the services of such staff assistants as the International President may assign for such services.

(e) In the event of the suspension from office of any one or more officers of the subordinate body by the International Officers or by an administrator appointed by them, a special election shall be held in the subordinate body within sixty (60) days thereafter to fill the vacancy or vacancies so created. In any such election, the suspended officer or officers, if otherwise eligible under this Constitution and By-Laws, shall be eligible for re-election. Such special election shall be conducted by the subordinate body's

election committee unless an administrator has been appointed, in which case it shall be conducted by the Administrator. Upon the installation of the officers elected at any such special election, the subordinate body shall be restored to its autonomy under this Constitution and By-Laws.

(f) The special election provided by paragraph (e) of this Section may be deferred up to one hundred twenty (120) additional days by a majority vote of the International Executive Board.

(g) Whenever a special election shall have been ordered as provided in Paragraph (a) of this Section, or a hearing ordered on the question of taking corrective action against a Local Union or Unit thereof, as provided in Paragraph (b) of this Section, or whenever the International President shall suspend one or more officers of a Local Union or Unit thereof, or appoint an administrator over such subordinate body as provided in Paragraph (d) of this Section, the International President shall, within ten (10) days after any such action, report his action, in writing, to each other member of the International Executive Board.

Every such action shall be reviewed at the next meeting of the International Executive Board whether regular or special, and a record made of the Board's approval or disapproval. In the event of disapproval by a majority vote of the International Executive Board, the action shall be immediately rescinded.

(h) Whenever an administrator shall be appointed under this Section, all expense incurred by him/her in discharging the duties of Administrator shall be borne by the subordinate body. The subordinate body shall be liable to the International Union for any extraordinary expenses incurred through administering the affairs of the said body.

(i) If the notice to show cause is withdrawn by the International President or International Executive Board, before or after a hearing, thereby exonerating the subordinate body, the costs of the administrator shall be borne by the International Union.

(j) During any period in which the administration of a Local Union or Unit thereof is under the control of an administrator appointed pursuant to Section 2(c) or Section 2(d) of this Article, no delegate from such Local Union or Unit thereof shall be allowed to nominate or vote in any Convention of this International Union or in any election of officers of this International Union, unless such delegates have been chosen by secret ballot vote in an election authorized by the administrator in which all the members in good standing of the Local Union or Unit thereof were eligible to participate. During any period in which a Local Union officer holds office by virtue of being appointed by the International Officers or International Executive Board pursuant to Section 2(c) or Section 2(d) of this Article, such appointed Local Union officer shall not be allowed to nominate or vote as a Local Union delegate in any Convention of this International Union or in any election of officers of this International Union, unless such appointed Local Union officer has been chosen as a Local Union delegate by secret ballot vote in an election authorized by the administrator in which all the members in good standing of the Local Union were eligible to participate.

Section 3. It shall repeal any Constitutions or By-Laws of any subordinate body which does not conform to this Constitution and By-Laws.

Section 4. It shall furnish all Charters and initial supplies necessary to operate the subordinate bodies of the International Union.

Section 5. It shall decide all questions involving the interpretation of this Constitution and By-Laws between Conventions.

Section 6. It shall pass upon all claims, grievances and appeals from the decisions of subordinate bodies of the International Union in the manner provided by this Constitution and By-Laws.

Section 7. If any officer is found guilty and removed from office through trial procedure, the vacancy shall be filled in accordance with this Constitution and By-Laws.

Section 8. Upon written request of two (2) members, the International Secretary-Treasurer, within forty-eight (48) hours of receipt of such request, shall poll the members of the International Executive Board on the

question of a Special Board Meeting. Upon a vote of two-thirds (2/3) of the members for such a meeting, the International President shall convene the Board within five (5) days. In case the President shall not convene the Board within the time allotted, the Secretary-Treasurer or any other Board member previously designated by the Board shall convene the Board.

Section 9. Two-thirds (2/3) of the number of members comprising the International Executive Board shall constitute a quorum.

Section 10. Only a majority of the International Executive Board can adjourn a Board Meeting.

Section 11. The International Executive Board shall have the authority by a majority vote to hire such personnel who are not necessarily members of the International Union for the purpose of assisting in the organizational and administrative functions of this International Union.

Section 12. The International Executive Board, by a two-thirds (2/3) vote, may exonerate the membership of any Local Union from payment in part, or in whole, of International initiation fees and payment of per capita taxes provided that application for such exoneration is made to the International Executive Board prior to the deadline set for the payment. The International Executive Board may waive the payment of initiation fees and/or periodic dues in the course of an organizing or negotiating situation.

Section 13. The International Executive Board shall have the power to adjust disputes between employers and employees and to make contracts with employers in accordance with this Constitution and By-Laws.

Section 14. All Officers and representatives of this International Union, or of a Trust in which this International Union is interested, who handle funds or other property thereof shall be Bonded in accordance with applicable laws and regulations. The cost shall be paid by this International Union. Every officer, agent, steward or other representative of the Local Union or Units of this International Union, or of a Trust in which the Local Union or Unit is interested, who handle funds or other property thereof shall be Bonded by such methods and agencies as the International Executive Board may determine in accordance with the applicable laws and

regulations. The cost of such bonds shall be paid by the Local Union or Unit, or the Trust in which the Local or Unit is interested.

Section 15. The International Executive Board may rescind, reverse or repeal any action of any of its officers or representatives.

Section 16. Between regular or special meetings of the International Executive Board, it may vote by means of a poll conducted in a manner determined by the International President.

Section 17. The International Executive Board, by a two thirds (2/3) vote, shall have the authority to merge or affiliate with other labor organizations when in its opinion conditions warrant, and the interests and welfare of the International Union and its members will be better served.

ARTICLE XIII

Duties of the International President

Section 1. The International President shall preside at all sessions of the International Executive Board. He shall perform such other duties as are necessary to protect and advance the interest of this International Union, and shall report his/her activities whenever necessary to all Local Unions and the general membership.

Section 2. Between sessions of the International Executive Board he/she shall execute the instructions of the International Executive Board and shall have full authority to direct the International Secretary-Treasurer, Vice President At Large, International Vice Presidents, International Representatives, International Staff and the activities of the International Union within the provisions of this Constitution and By-Laws and shall report his/her actions to the regular meetings of the International Executive Board.

Section 3. He/she shall appoint such representatives as he/she may deem necessary from time to time, such appointments to be pending upon the approval of the International Executive Board. He/she may remove from the payroll any representative derelict in the performance of any duty, guilty of any dishonest act, or to conserve the finances of this International

Union, pending the approval of the International Executive Board at the next session.

Section 4. He/she shall convene regular and special sessions of the International Executive Board whenever necessary.

Section 5. He/she shall, upon submitting his/her recommendations to the International Executive Board, hire such legal, technical, or professional help as necessary to operate this International Union efficiently.

Section 6. He/she shall fill by appointment all vacancies occurring in the International Office staff.

Section 7. He/she shall have authority to call Special Meetings at any Local Union or Unit thereof, whenever he/she deems such meetings necessary to protect the interests of its membership after proper notification or consultation with officers of subordinate bodies involved. He/she shall have the authority to delegate such duties to any International Officer or Representative he/she may select, provided such delegation of authority is written and signed by him/her.

Section 8. (a) In recognition of the dedication of International Presidents and their contribution to the International Union, International Presidents who retire from that office shall be honored with the title of International President Emeritus. It shall be an honorary office but carry with it the duty to advise and assist the International President and/or International Executive Board upon request.

(b) The International President Emeritus will have the right to attend International Union Conventions and, upon request, to attend International Executive Board meetings in an advisory capacity with expenses paid by the International Union, in accordance with its policy.

Section 9. The International President shall have authority to withdraw any assignment and/or suspend without pay any elected officer when he/she determines, after a reasonable investigation, that the officer has been derelict in the performance of duty or guilty of misconduct or a dishonest act. Such withdrawal of assignment and/or suspension shall not affect

the officer's right to vote. The affected officer may follow the procedure set forth in Article XII, Section 8 to convene the International Executive Board which shall have the power to affirm, modify or reverse the action of the International President. The affected officer may appeal within thirty (30) days from any adverse decision of the International Executive Board pursuant to Article XXII, Sections 8 and 9.

ARTICLE XIV
Duties of the International
Secretary-Treasurer

Section 1. The International Secretary-Treasurer shall attend all sessions of the International Executive Board. He/she shall cause to be recorded the proceedings of all such meetings. He/she shall have charge of and preserve all books, documents and effects of the International Office; except such records belonging to the office of the International President. He/she shall issue all receipts for all monies paid to this International Union, pay all bills and current expenses, unless otherwise ordered by the International Executive Board. All expenditures shall be paid by checks, countersigned by the International President when the latter is satisfied with their accuracy. He/she shall keep copies of all important correspondence sent out and received by his/her office. He/she shall submit expenses of each officer and employee, together with an itemized statement of receipts and disbursements of all money belonging to this International Union, to the International Executive Board.

Section 2. He/she shall be the custodian of the funds of this International Union and at the direction of the International Executive Board shall deposit all funds of this International Union in a responsible bank, or banks.

Section 3. He/she shall give a bond, amount of which shall be determined by the International Executive Board and paid for by this International Union, to insure faithful discharge of his/her duties. The International President shall act as trustee and hold the bond.

Section 4. He/she shall perform such other duties that are herein provided for in this Constitution and By-Laws or that may be assigned to him/her by the International President and/or the International Executive Board.

Section 5. When a Local Union has failed to report and pay the per capita taxes as provided for herein, the International Secretary-Treasurer shall notify the Local Union President and the International Executive Board of that fact.

Section 6. He/she shall keep a complete record of the membership of this International Union.

Section 7. He/she shall, with the consent of the International Executive Board, employ such assistance as may be necessary to conduct the affairs of his/her office.

ARTICLE XV

Duties of the International Board of Trustees

Section 1. The International Board of Trustees shall be charged with the duty of safeguarding all funds and properties of this International Union by causing the books and accounts of the International Secretary-Treasurer to be subject to a semi-annual compilation. The Board of Trustees shall designate a Certified Public Accountant to make an annual audit, and shall incorporate same in their report to the International Officers, Board members, and all affiliated Local Unions as soon as completed. The Board of Trustees shall report its activities to the meetings of the International Executive Board and to the International Convention. It shall make recommendations to the Board and to the Convention for improving the handling of the finances of this International Union and for safeguarding its funds and properties.

Section 2. The members of the International Board of Trustees shall devote the time necessary to the performance of their duties not to exceed a maximum of five (5) days in any one quarter. Any two of the three Trustees attending a meeting shall constitute a quorum.

ARTICLE XVI
Fiscal Year

Section 1. The Fiscal Year of this International Union shall begin on the First Day of April of each Year and end March 31 of the following Year.

ARTICLE XVII
Initiation Fees and Dues

Section 1. Membership dues shall include the following financial obligations due and owing by a member or applicant for membership:

- (a) Initiation or reinstatement fees, as the case may be.
- (b) Monthly fees (hereinafter referred to as “dues” or “monthly dues”).

Section 2. The initiation fee, no part of which shall be considered as a Local Union fine, shall be not less than Forty Dollars (\$40.00) for membership in a Local Union of this International Union. Twenty Dollars (\$20.00) of each initiation fee shall be forwarded to the International Secretary-Treasurer.

Section 3. All dues are payable during the current month to the Financial Secretary of the Local Union. Commencing June 1, 2000 and for each month thereafter, minimum Union dues shall be a sum equivalent to two and one-half hours straight time pay per month or Five Dollars (\$5.00) per month, whichever is greater. For those members paid by the hour, day, week or month, the dues shall be based on the amount earned per straight time hour in the past payroll period worked before the dues are payable, including cost-of-living allowance and any other amounts normally considered as part of regular pay, but excluding shift premium. Commencing on June 1, 2000 dues income shall be distributed so that the Local Union and the International Union shall each receive fifty percent (50%) of two hours straight time pay, and the International Union shall receive the one-half hours pay.

Section 4. Nothing in this Article shall prevent any Local Union, or Unit thereof, from establishing, in accordance with the provisions of Article XXXIV, dues or minimum dues in a greater amount than provided for in this Article. If any Local Union which, at the time when minimum monthly membership dues are increased pursuant to the provisions of this Article, has dues in an amount greater than the minimum monthly dues pre-existing the change; then said Local Union may increase Local Union dues by the proportionate amount of the change by a majority of votes cast by secret ballot at a Local Union meeting as provided in Article XXXIV. The full amount of any dues established by a Local Union over and above the minimum set by this Constitution and By-Laws shall be retained by the Local Union.

All dues established by this Article shall be uniformly required of all its members by each Local Union or Unit thereof, except as specific exoneration or special arrangement may be granted pursuant to this Article.

Section 5. (a) Any member who works less than forty (40) hours in any month shall be required to pay a sum equivalent to one (1) hour's straight time pay per month or Five Dollars, whichever is greater. Any member working forty (40) hours or more in any one month shall pay monthly dues as prescribed in Section 3 of this Article.

(b) Commencing on June 1, 1990 dues income for these members shall be distributed so that the Local Union shall receive fifty percent (50%) and this International Union shall receive fifty percent (50%).

(c) Members shall not be exempt from payment of dues if they are receiving benefits in lieu of work. Benefits in lieu of work shall include the following: vacation pay, holiday pay, jury duty pay, bereavement pay, paid absence allowance, salary continuation when on sick leave and similar benefits; but shall not include the following: pension benefits, sick and accident benefits, Workers' Compensation, Unemployment Compensation, Trade Readjustment Act benefits and similar governmental benefits.

Dues for members who are on layoff and receive layoff benefits such as SUB pay, salary continuation and similar layoff benefits, shall be Ten Dollars (\$10.00) a month or two hours straight time pay, whichever is lesser.

(d) A member who has been laid off or is on leave of absence from his/her regular employment who is covered by checkoff provisions under which management notifies the Local Union or Unit of members who are on leave of absence, laid off or rehired shall automatically be considered as entitled to "out-of-work" credits unless he/she has received benefits in lieu of work. Any other member in order to be entitled to "out-of-work" credits shall report his/her layoff or leave of absence, in person or otherwise, to the Financial Secretary of his/her Local Union within one month of the date such layoff became effective.

Any member who is covered by check-off as set forth above shall report immediately to the Financial Secretary-Treasurer of his/her Local Union any other employment he/she may obtain during the period of his/her layoff or leave of absence. Any member not covered by check-off shall report to the Financial Secretary-Treasurer of this Local Union the termination of his/her layoff or leave of absence, or any other employment he/she may obtain during the period of his/her layoff or leave of absence.

Any member who is entitled to "out-of-work" credits pursuant to this Article shall be exempted from dues payment for the period of his/her entitlement.

In the event a member fails to report either his/her layoff or re-employment within the respective one (1) month period as provided herein, he/she shall not be entitled to any exemption and, shall be subject to all of the provisions of this Article which relates to the obligation of members to pay dues.

Any member who is suspended or terminated from active employment and a grievance and/or administrative charge is pending challenging the employer's action, shall automatically be considered as entitled to "out-of-work" credits until final resolution of the grievance and/or administrative charge.

Section 6. Any member who is entitled to "out-of-work" credits under the provisions of this Article and who does not secure a Withdrawal Card, shall be presumed to continue to be entitled to "out-of-work" credits and thus remains in continuous good standing without the necessity of paying dues for the first six (6) months of such layoff or leave unless the member

has had employment during this period which would necessitate his paying dues under Section 5 (a) and (b) of this Article or taking a Withdrawal Card under Article XVIII, Section 2. Unless any such member shall, during the last ten (10) days of such six (6) month period, certify in writing to the Local Union Financial Secretary, in person or by registered or certified letter, that he/she continues to be eligible for good standing membership without payment of dues pursuant to Section 5 of this Article and Article XVIII, Section 2, the member shall automatically be noted on the Local Union's records as having been issued a Withdrawal Card at the conclusion of said six (6) month period. If a member does certify as provided herein during the last ten (10) days of the six (6) month period, he/she shall continue to be eligible for "out- of-work" credits for each additional month if, during the last ten (10) days of such month, he/she similarly certifies. Such a member shall automatically be noted on the Local Union's records as having been issued a Withdrawal Card on the first day of such month in which he/she fails to certify as provided herein.

Section 7. Any member becoming out of work because of illness or injury shall be exempt from the above Section. Such member shall be automatically exonerated from the payment of dues and shall be issued "out-of-work" credits provided good and sufficient proof is submitted to substantiate illness or injury. The above shall not apply to those employees who receive salaries equivalent to ten (10) or more hours pay within any calendar month.

Section 8. Any member who has paid his/her dues by check-off for any month for which the member is exempted from payment of dues under Sections 5, 6 and 7 of this Article shall be entitled to a refund of such dues if he/she claims the same in person or in writing from the Financial Secretary-Treasurer of the Local Union within two (2) months following the month for which the refund is due. Any member who has paid his/her dues in advance other than by check-off for any month for which the member is exempted from payment of dues under Sections 5, 6 and 7 of this Article shall, when he/she returns to work, be given credit on future dues for any such month.

Section 9. The Union dues of full-time elected officers and appointed International Union representatives shall be computed on the basis of the base pay received from the International Union or Local Union as con-

verted to an hourly rate.

Section 10. Effective August 31, 1970, a member who has not paid his/her dues during the calendar month in which they are due shall become delinquent except as otherwise provided in this Article. In order to reinstate his/her good standing membership, he/she must pay the back dues owed and the reinstatement fee established by the Local Union.

Section 11. The reinstatement fee shall be the regular initiation fee charged by the Local Union plus a sum equivalent to the member's monthly dues for each month of delinquency up to and including the month of reinstatement.

Section 12. Fifty percent (50%) of each reinstatement fee plus sixty percent (60%) of the sum equivalent to the member's monthly dues shall be forwarded to the International Secretary-Treasurer. If the Local Union does not charge back dues for the period following the date of automatic suspension to the date of reinstatement, but imposes a fine based upon the length of such period, the Local Union must forward to this International Union sixty percent (60%) of the fine so collected.

Section 13. If a member remains delinquent under Section 10, above, for a period of three (3) consecutive months, such member shall automatically be suspended and, in addition to being subject to the above requirements for reinstating good standing membership, said member upon suspension shall be disqualified immediately from holding or continuing to hold any office or position within this International Union and its Local Unions. Any vacancy in office or position created because of such disqualification shall be filled by a member who has been in continuous good standing for a minimum period of one (1) year immediately preceding such vacancy.

Section 14. An appropriate amount not to exceed thirty cents (30¢) of each monthly per capita tax payment to this International Union shall be set aside, as necessary, to maintain a minimum level in a Special International Union Strike Fund to be drawn upon exclusively for the purpose of aiding Local Unions engaged in authorized strikes and in cases of lockouts, and for that purpose only; the method and amount of payments from the Strike Fund shall be established by majority vote of the International Executive Board. The International Executive Board shall, by majority vote,

at its annual meeting or more frequently if necessary, establish an adequate minimum level of the Strike Fund and the amount necessary to maintain such level.

Section 15. All per capita payments and all other monies collected for the International Union shall be transmitted to the International Secretary-Treasurer by the twentieth (20th) day of each month following collection, along with a copy of the dues check-off list received from each employer. All such per capita payments, and other monies, are strictly the property of this International Union and in no case shall any part thereof be used by Local Unions, except upon permission of the International Executive Board.

Section 16. A Local Union failing to pay full per capita payments due the International Union within a two (2) months' period shall stand automatically suspended until the Local Union has been reinstated through payment of deficiency incurred, unless exonerated from payment of same as provided for in this Constitution and By-Laws. Said exonerations (and/or temporary relief) from payment of the per capita tax shall be granted on a uniform, non-discriminatory basis.

Section 17. Any Local Union failing to pay all of its financial obligations due this International Union shall not be entitled to a voice or vote in the International Convention. In the event a Local Union fails to pay all of its financial obligations due this International Union, formal notice of this delinquency shall be sent to the Local's President, Vice President, Recording Secretary and Financial Secretary-Treasurer no less than sixty (60) days prior to the International Convention explaining said delinquency and the consequential loss of voice or vote at the International Convention unless said delinquency is remedied.

Section 18. In the event a newly organized group requires the services of this International Union pending the issuance of a Charter, all monies collected, including initiation fees and dues, shall become and remain the property of this International Union; provided however, that upon the issuance of a Charter to the new group, this International Union shall return one-half (1/2) of the initiation fees collected.

Section 19. The failure of an employer to check off and pay to a Local Union the dues of a member as required by a contract will not make the

member delinquent if the member has signed a Dues Check-Off Authorization Card. Where a member has signed a Dues Check-Off Authorization Card authorizing the deduction of dues for a given month, the member shall be considered as having paid his dues for that month even though the employer fails to deduct same. Upon failure of the employer to deduct dues, the Financial Secretary-Treasurer of the Local Union must notify the member to pay his/her dues. The member shall have thirty (30) days in which to pay his/her dues after being notified. Any member not paying his/her dues within said thirty (30) day period shall be considered delinquent. Failure on the part of the Financial Secretary-Treasurer to so notify a member of his/her pending delinquency will not affect the member's standing and he/she shall be considered in good standing in the Local Union until notified by the Local Union and/or International Union of such delinquency. In order to maintain good standing, the member must pay all delinquent dues.

Section 20. The International Executive Board, on request of a Local Union or Unit thereof, shall have the power to make special arrangements with respect to the dues schedules established in this Article, where unusual circumstances justify such arrangements.

Section 21. (a) For Local Unions chartered, merged, consolidated or reorganized after June 1, 2005, all dues and initiation fees owing during the current month shall be payable to the International Union, SPFPA, and forwarded directly to the International Secretary-Treasurer by the twentieth (20th) day of each month following collection.

(b) The International Secretary-Treasurer, in accordance with the distributions set forth in Sections 2, 3 and 12 of this Article, shall maintain and administer a dues/fees account on behalf of each Local Union.

(c) The International Secretary-Treasurer shall, upon approval of a voucher or request supported by receipts or appropriate documents and signed by the Local President and Financial Secretary-Treasurer, make direct payment of such debt or obligation and debit the Local Union's dues/fees account. Upon request, the Local Union Financial Secretary-Treasurer will be provided with a statement of the Local Union's dues/fees account.

(d) Upon approval by a majority vote of those present and voting of the Local Executive Board, a Local Union chartered prior to June 1, 2005 may request its inclusion in the dues collection and distribution procedure set forth in subsections (a), (b) and (c) above. Local Unions currently participating in the procedure shall continue to do so.

ARTICLE XVIII

Transfer and Withdrawal Cards

Section 1. All Transfer and Withdrawal cards shall be supplied by the International Secretary-Treasurer. They shall be available to the Local Unions in duplicate form in pads and shall be sold at cost.

Section 2. (a) Any member laid off from his/her job but regularly employed on a security job which is not under contract with a Local Union, but within the jurisdiction of this International Union, or any member who is elected or appointed to a Federal, State or Municipal office or job may take a Withdrawal Card, or, in order to maintain himself/herself in good standing with his/her Local Union, shall pay regular dues.

(b) Any member laid off from his/her job but regularly employed on a job other than security work, outside the jurisdiction of the International Union, shall take a Withdrawal Card.

Section 3. Any member in good standing leaving the jurisdiction of this International Union is entitled to a Withdrawal Card. Any member leaving the jurisdiction of another Local Union shall be required to transfer forthwith. This shall not apply to members holding a Local Constitutional Office who involuntarily left the jurisdiction of their Local. However while holding such office such member shall not be eligible to hold any Constitutional Office in, or be a Delegate to the International Convention from any Local Union other than the one he/she involuntarily left.

Section 4. A member shall be entitled to a Withdrawal Card provided he/she shall have his/her dues paid up to and including the current month, or "out-of-work" credits and there are no charges or debts owed to the Local Union.

Section 5. A member shall be entitled to a Transfer Card provided he/she is not behind in his/her dues for a period longer than that permitted by his/her Local Union, which in no case shall be more than one (1) calendar month and provided there are no other charges or debts owed to the Local Union. It shall be the duty of the Local Union and/or the member to obtain a Transfer Card.

Section 6. A member who is transferred to another Local Union and who has paid his/her dues in advance shall not be required to pay duplicate dues. The Local Union to which the advance dues payments have been made shall forward them to the Local Union to which the member is transferred or refund them to the member.

Section 7. The Financial Secretary-Treasurer shall upon issuing or receiving a Transfer or Withdrawal Card, notify the International Secretary-Treasurer upon proper forms provided by this International Union.

Section 8. A subordinate body may charge a maximum of twenty-five cents (25¢) for each Transfer or Withdrawal Card issued. No charge shall be made for Transfer or Withdrawal Cards received.

Section 9. When a holder of a Withdrawal Card loses the same he/she can only receive a duplicate thereof by applying to the International Secretary-Treasurer who shall issue such duplicate on the payment of One Dollar (\$1.00) after sufficient time has elapsed for an investigation to be made. Duplicates shall be furnished from a series separate from the regular Withdrawal Cards and have printed thereon the words "Duplicate Withdrawal Card." No duplicate for lost Withdrawal Card shall be issued except with the consent of the Local Union issuing the original card, and unless application is made within thirty (30) days from the time such card is lost.

Section 10. Withdrawal Cards may be terminated by the Local Union issuing them or by the International Executive Board for good and sufficient reasons.

ARTICLE XIX

Contracts and Negotiations

Section 1. It shall be the established policy of this International Union to recognize the spirit, intent and the terms of all contractual relations developed and existing between Local Unions, or the Unit involved in the Local Union, and employers, concluded out of conferences between the Local Unions or Units and the Employers, as binding upon them. Each Local Union or Unit shall be required to carry out the provisions of its contracts. No officers, members, representatives, or agents of this International Union, or of any Local Union or Unit, or of any subordinate body of this International Union, shall have the power or authority to counsel, cause, initiate, participate in or ratify any action which constitutes a breach of any contract entered into by a Local Union or a Unit thereof, become a party to an agreement on wages, hours and working conditions, unless he/she shall cause such agreement to be reduced to writing and properly signed by the authorized representatives of all the parties of the Agreement. The International Union shall be made a party to all contracts and supplemental contracts. Copies of all contracts and supplements thereto shall be filed with the International Secretary-Treasurer within thirty (30) days of execution.

Section 2. (a) In the case of newly certified, recognized or affiliated bargaining units, the International Union shall conduct and complete collective bargaining for an initial collective bargaining agreement with the assistance of an appointed Unit bargaining committee. Such agreement shall be referred to the International Executive Board for ratification.

(b) After the initial contract, International Union representatives, at their option, may be present and participate fully in the negotiation of all collective bargaining agreements or any supplement thereof with an employer.

(c) After the initial contract, all contracts shall be submitted to the Local Union or Unit involved for ratification by a majority vote of members in good standing present and voting at a duly noticed meeting. In the event that a Local Union or a Unit rejects a contract, or any supplement thereof, such rejection shall constitute an authorization to

declare a strike in accordance with Article XXXVII.

(d) All contracts shall be referred to the International Executive Board for its recommendations, approval or rejection.

(e) All contracts shall be effective upon execution by duly authorized representatives of the Union.

Section 3. Whenever a collective bargaining agreement affecting the terms and conditions of employment of members of more than one Local Union or Unit thereof is to be negotiated with one or more employers, the International Executive Board shall prescribe rules and procedures to insure the fair and adequate representation of each such subordinate body on the Committee conducting the negotiations for the Union.

Section 4. National Agreements establishing the terms and conditions of employment in more than one plant shall be ratified by votes taken in each Local Union or Unit whose members are covered by such agreement. Ratification shall be established by the majority of all members voting in all Local Unions or Units affected. **The International Executive Board shall ratify all national agreements when the covered Local Unions or Units do not have members in good standing.**

ARTICLE XX

Charges and Trials of International Officers

Section 1. Charges against International Officers or International Executive Board Members may be filed in either of these manners:

(a) Upon written affidavit signed by five (5) or more Board members and filed with the International Secretary-Treasurer.

(b) Upon written affidavit signed by a Local Union member and endorsed by his/her own Local Union and the majority of the Local Unions within the Region from which the International Executive Board member is elected.

Section 2. In case the charges to be filed are against the International Secretary-Treasurer they shall be filed with the International President who

shall in that case alone perform the duties with reference to the trial procedure.

Section 3. Upon receipt of the charges the International Secretary-Treasurer shall immediately send a copy of the charges by Certified Mail to the accused and copies to all International Executive Board Members. A hearing date shall be set for the next regular Executive Board Meeting or by a Special Meeting called by the International President and written notification shall be forwarded to all interested parties at least ten (10) days prior to the hearing.

Section 4. The International Executive Board shall establish their own rules of procedure relating to the conduct of the trial. The accused and the accuser shall have the right to be represented by any member in good standing of the International Union.

Section 5. The International Executive Board upon completion of the hearing on the evidence and arguments, shall go into closed session to determine the verdict and penalty. A two-thirds (2/3) vote shall be required to find the accused guilty. In case the accused is found guilty, the Executive Board may, by a majority vote, reprimand the accused or it may, by a two-thirds (2/3) vote, assess a fine not to exceed Five Hundred Dollars (\$500.00) with automatic suspension, removal from office or expulsion in the event of the failure of the accused to pay the fine within a specified time, or it may, by a two-thirds (2/3) vote, suspend or remove the accused from office, or suspend or expel him/her from membership in this International Union.

Section 6. In case the Executive Board finds the accused innocent, it may bring a charge of knowingly bringing false charges against a member against the accuser who shall be entitled to all the rights of an accused. If found guilty of this charge, the accused shall be subject to the penalties set forth in Section 5 of this Article.

Section 7. Charges against the International Officer or International Executive Board member, concerning his/her own Local Union, shall not be filed according to Local Union Trial Procedure, but in accordance with the above provisions.

ARTICLE XXI

Rights of Members

Section 1. A charge by a member or members in good standing that a member or members have violated this Constitution and By-Laws or the By-Laws of a Local Union, or engaged in conduct unbecoming a member of the Union, must be specifically set forth in writing and signed by the member or members making such charges. The charges must state the exact nature of the alleged offense or offenses and, if possible, the period of time during which the offense or offenses allegedly took place. Two (2) or more members may be jointly charged with having participated in the same act or acts, charged as an offense or with having acted jointly in the commission of such an offense and may be jointly tried. Conduct unbecoming a Union member may include actions involving disaffiliation or decertification proceedings or the instigation thereof.

Section 2. Charges must be submitted to the Recording Secretary of the Local Union within sixty (60) days of the time the complainant becomes aware of the alleged offense, provided that, if the charges are against the Recording Secretary, they shall be submitted to the President of the Local Union.

Charges preferred against one for acts or conduct detrimental to the interest of the Union or its members, committed while he/she was out of the Union on Withdrawal Card, shall be submitted within sixty (60) days from the time of the deposit of his/her Withdrawal Card.

Section 3. Upon charges being submitted, it is mandatory that a trial be held, unless the charges are withdrawn by the accuser or unless dismissed by the Executive Board of the Local Union because found to be deficient in form or content or not timely filed under Section 2 of this Article. The

Executive Board shall review all charges filed within fifteen (15) days after such filing. The accuser shall be promptly notified in writing of dismissal of charges by the Executive Board. The accuser may either refile the charges in amended form (unless dismissed because not timely filed) or appeal the action of the Executive Board as provided in Article XXII. If the charge was timely when first filed, an amended charge shall be deemed timely, notwithstanding that the lapse of time after the original filing would have rendered the filing of the amended charge untimely.

Section 4. A member against whom charges have been filed shall be notified of such charges by Receipted Registered or Certified Mail within seven (7) days after the charges are submitted to the Local Union.

Section 5. An accused member placed on trial and the accuser shall be permitted representation of their own choice by a member in good standing of their Local Union.

Section 6. A member against whom charges have been filed may be suspended from any elective or appointive office or position he/she may hold in his/her Local Union or Unit, as the case may be, pending trial, by two-thirds (2/3) vote of such Local Union or Unit meeting.

Section 7. Within seven (7) days after the Trial Committee has been selected, the accused member(s) shall be notified of the time and place of the trial, which shall be held not less than fifteen (15) days nor more than thirty (30) days from date of his/her receipt of such notification.

Section 8. The accused member or members shall be tried by a Trial Committee of three (3) or five (5) members and at least two (2) alternates selected by a lot from the members attending the next regular membership meetings of the Local Union, or of the Unit thereof, excluding the accused member or members, the accuser or accusers, and the member or members designated by the presiding officer. In case less than ten (10) members eligible to serve on the Trial Committee shall be in attendance at such membership meetings, the Trial Committee shall be selected by a lot from the entire membership in good standing. The names of the members from whom the Trial Committee is to be drawn shall be written or typed on uniform cards or slips, deposited in a suitable container and the names withdrawn by a member appointed by the presiding officer to conduct the drawing, blindfolded while drawing. The drawing shall take place at the last meeting of the scheduled regular membership meeting. A list of the names drawn shall be made in the order in which they are drawn. The first three (3) or five (5) members whose names are drawn shall constitute the Trial Committee. The two (2) additional names drawn shall be alternates who shall serve only in the event of the inability of a member of the Trial Committee to serve at the trial. If less than three (3) members agree to serve, the Local President may appoint the necessary number of members to the Trial Committee.

Section 9. An officer of a Unit of a Local Union, if charged with being derelict in performing his/her duties as a Unit Officer, shall be tried by a Trial Committee selected by the members of the Union in accordance with the provision of this Article, provided, however, that the only penalty that can be meted out to such officer shall be loss of office in the Unit. The decision of the Trial Committee must be approved by a two-thirds (2/3) vote

of such unit membership present at the meeting, provided however, if the two-thirds (2/3) vote of such unit membership should desire a penalty other than that specified above, the matter shall be referred to the Local Union in accordance with the trial procedure outlined in this Article.

Section 10. The Trial Committee, upon completion of the hearing of the evidence and arguments, shall go into closed session to determine the verdict and penalty. A majority vote shall be required to find the accused guilty. The Trial Committee may, by a majority vote, reprimand the accused, or it may assess a fine not to exceed Five Hundred Dollars (\$500.00) with automatic suspension, removal from office, or expulsion, in the event of the failure of the accused to pay the fine within specified time, or it may suspend or remove the accused from office or suspend or expel him/her from membership in the International Union.

Section 11. The Trial Committee shall thereupon report its verdict and a judgment at the next membership meeting. The meeting shall first vote on the verdict of guilty which shall require a majority vote for approval. If approved, the membership shall vote on the penalty. It shall require a majority vote to approve the penalty imposed by the Trial Committee or any proposed modification thereof. If a verdict of guilty fails to receive said majority vote of approval, the membership may, by a majority vote, order a new trial. A verdict of acquittal by the Trial Committee shall be final except as provided by Article XXII of this Constitution and By-Laws. In case of a plant in which union membership is a condition of employment, suspension from membership shall not require removal from the job.

Section 12. In the event that the penalty is suspension, the suspended member shall be required to pay all dues during the period of suspension. Suspended members shall not be entitled to "out-of-work" credits.

Section 13. In case the Trial Committee finds the accused innocent, they

may determine whether or not the charges were brought with knowledge that they were false. In so doing they may serve a written charge to that effect upon the accuser. Such charge shall have the effect of and be proceeded upon in the same manner as a charge of conduct unbecoming a Union member, except that a new Trial Committee shall not be selected and the accuser or accusers shall be tried on the charge by the same Trial Committee. If, after trial of the accuser or accusers, the Trial Committee shall find him/her or them guilty, they may assess a penalty against him/her or them, in accordance with this Article, provided, however, that such penalty shall be limited to the following:

A fine not to exceed Five Hundred Dollars (\$500.00) with automatic suspension in the event of the failure of the accused to pay the fine within a specified time; or suspension from membership for a period not to exceed three (3) months. Such verdict and penalty in relation to the accuser shall become effective only upon the approval of a majority vote, or the Local Union may, by majority vote, modify or amend the verdict or order a new trial.

Section 14. The International President may, in case of extreme emergency, and when it appears to him/her that irreparable injury may result to this International Union or to a subordinate body as a result of offenses punishable under this Constitution and By-Laws, intervene and prefer charges against such member or members. In any case in which it shall appear to the International President that a member or members have engaged in a conspiracy to commit an offense against this International Union, or in those cases where a member or members have caused or instigated disaffiliation or decertification proceedings, the International President may prefer charges against such member or members of this International Union for violation of this Constitution and By-Laws or for conduct unbecoming a member of this International Union, without regard to the existence of an emergency.

All such charges shall be specifically set forth in writing and signed by the International President. The International President may appoint a Representative to represent him/her in the trial of the charges.

Section 15. Charges preferred against a member or members by the

International President shall be tried by the International Executive Board or a hearing officer(s) appointed by the Board, in accordance with the procedures set forth in Article XX, Section 3 through 5. The International President and his/her designated representatives shall be disqualified from hearing the charges.

Section 16. Upon completion of the trial, or receipt of a hearing officer's report, the International Executive Board shall determine the verdict and penalty. A two-thirds (2/3) vote shall be required to find the accused guilty. In the event the accused is found guilty, the International Executive Board may impose the penalties provided by Section 10 of this Article. In the event the International Executive Board finds the accused guilty, the accused may appeal the decision to the next International Convention in accordance with Article XXII, Section 8, or to an impartial arbitrator in accordance with Article XXII, Section 9. In the event the International Executive Board finds the accused not guilty, the decision shall be final.

ARTICLE XXII

Appeals

Section 1. All subordinate bodies of this International Union and members thereof shall be entitled to the right to appeal. In all cases, however, the decision of the lower tribunal must be complied with before the right to appeal can be accepted by the next tribunal in authority, and shall remain in effect until reversed or modified.

This appeal process is applicable to all matters affecting a subordinate body and/or its members, and expressly includes appeals related to grievances, arbitration, unfair labor practice charges and other administrative decisions by a Local Union or the International Union.

Section 2. A member found guilty by his/her Unit may appeal in writing to the next meeting of his/her Local Union. The Local Union shall review the appeal with the aid of an Investigating Committee and shall determine the appeal, but shall not select its own Trial Committee to re-try the case. Any appeal from the decision of the Local Union shall be carried to the International Executive Board.

Section 3. Any member wishing to appeal from the action, decision or penalty of his/her subordinate body shall do so in writing to the International Secretary-Treasurer within thirty (30) days after the aforesaid action, decision or penalty and he/she must notify said subordinate body of his/her intention in writing. The notice of appeal shall contain a brief summary of the action being appealed from, and a brief statement of the reasons for appealing from such action. It shall then be the duty of the subordinate body to forward to the International Secretary-Treasurer a complete statement of the matters in issue, including copies of all charges, records, minutes, transcripts of testimony, and all other material relating to the appeal.

Section 4. (a) In any case in which a member shall have been tried and acquitted upon charges alleging one or more of the following offenses:

(1) Misappropriation or embezzlement of Union funds;

(2) Any other offense concerning which the International President has the authority to act under the emergency provisions of Article XXI, Section 14;

any member of the same Local Union as the acquitted member, or the International Vice President of the Local Union, may appeal the acquittal to the International Executive Board which shall review the proceedings which led to acquittal. Any such appeal must be taken within thirty (30) days after the acquittal.

(b) In any case in which a member shall have been convicted of an offense included in paragraph (a) of this Section and a penalty imposed, a member of the same Local Union or Unit or the International Vice President of the Local Union may appeal within thirty (30) days after the imposition of the penalty to the International Executive Board on the ground that the penalty is grossly disproportionate to the gravity of the offense.

(c) Any member or Vice President taking an appeal under Paragraphs (a) or (b) of this Section shall serve a notice, in writing, on the President or Financial Secretary-Treasurer of the Local Union and a copy to the International Secretary-Treasurer. Such service may be by Certified Mail. The notice of appeal shall conform to the requirements of Section 3 of this Article. It shall be the duty of the Local Union or Unit to act upon such notice as prescribed in said Section 3.

(d) In case of an appeal from an acquittal, the International Executive Board is empowered, if it finds that the verdict was against the great weight of the evidence, to set it aside and order a new trial by a Trial Committee drawn by lot from the entire membership in good standing of the Local Union or Unit, excluding the accused, the accusers, the members assigned to conduct the drawing, and those members who served on the original Trial Committee. If the membership of the Unit is not large enough to permit the selection of a new Trial Committee from members who did not serve on the original Trial Committee, the new Trial Committee shall be drawn by lot from the entire membership of the Local Union.

(e) In case of an appeal from a penalty, the International Executive Board shall, after a hearing, be empowered to impose any penalty allowed under Article XXI, Section 10.

Section 5. The International President may extend the time for filing an appeal if, in his/her opinion, justice will be served thereby.

Section 6. Any member or subordinate body, appealing from any action, decision or penalty of any subordinate body to the International Executive Board shall be afforded full opportunity to present the appellant's position on all matters bearing upon the action, decision, or penalty under review.

Section 7. The hearing on the appeal shall be held before the International Executive Board or before a hearing officer(s) appointed by the Board. The International Executive Board, upon due consideration, issues its decision which, unless appealed as provided for in Section 8, shall be final and binding upon all parties.

Section 8. Any subordinate body or member thereof wishing to appeal from the decision of the International Executive Board may, in all cases take such appeal to the next Constitutional Convention of this International Union, provided such appeal is made within thirty (30) days of notification of the International Executive Board's decision (unless such time is extended by the International President where, in his opinion, justice will be served by such an extension) by serving a notice of appeal upon, and filing a written statement of his/her reasons for appeal with the International Secretary-Treasurer.

Section 9. Any member appealing from a decision rendered by the International Executive Board in accordance with Article XXI, Section 16, may appeal said decision to any impartial arbitrator unless the next Constitutional Convention is scheduled to be held within ninety (90) days of said decision. The appeal for arbitration must be made within thirty (30) days of notification of the International Executive Board's decision by serving a written Registered or Certified Mail notice of appeal to arbitrate to the International Secretary-Treasurer. Upon receipt of notice of appeal, the accused and the International Secretary-Treasurer shall have an additional twenty (20) days in which to agree upon an arbitrator, in event of failure to agree upon an arbitrator, the matter shall then be mutually referred to the American Arbitration Association to arbitrate this matter in accordance with their rules, regulations and procedures.

The arbitrator shall be empowered to decide the matter in accordance with the provisions of this Constitution and By-Laws, and shall have no power to add to, or subtract from, or modify any of the terms of this Constitution and By-Laws.

The cost of such arbitration under this Section shall be borne as follows:

(a) If the accused is found "guilty" by the arbitrator under the provisions of this Constitution and By-Laws, the accused shall be responsible for payment of the fees and expenses of the arbitrator and the American Arbitration Association.

(b) If the accused is found "innocent" of the charges by the arbitrator under the provisions of this Constitution and By-Laws the fees and expenses of the arbitrator and the American Arbitration Association shall be borne by this International Union.

(c) Each party shall be solely responsible for all other costs incurred by them in the arbitration.

The decision of the arbitrator shall be final and binding.

Section 10. Unless excused from doing so under law, a member or a subordinate body shall not appeal to a civil court for redress until he/she or

it has exhausted his/her or its rights of appeal under the laws of this International Union. Any violation of this Section shall be cause for suspension or expulsion, or for revocation of charter, by a two-thirds (2/3) vote of the International Executive Board after hearing.

Section 11. Any higher body to which an appeal from the decision of a Trial Committee or a Local Union is made, including an arbitrator as provided in Section 9 of this Article, shall have the authority not only to accept or reject the verdict, but may modify or amend such a verdict, or order a new trial.

ARTICLE XXIII **Amalgamated Local Unions**

Section 1. For the purpose of this Constitution and By-Laws, Amalgamated Local Union shall be defined as a Local Union holding jurisdiction over all units in a geographical area as established by the International Executive Board.

A UNIT shall be defined as any one of the following:

- (1) A group of members living in any one locality.
- (2) A bargaining group of members under contract to the same employer.
- (3) A bargaining group of members of several different Plants, all owned and operated by one employer in the same locality.

Section 2. The term "Local Union" wherever used in this Constitution and By-Laws shall be deemed to include the term, "Amalgamated Local Union."

Section 3. Any Local Union aggrieved by the provisions of this Article shall have the right to request a hearing before the International Executive Board.

ARTICLE XXIV
Local Union Charters

Section 1. A Local Union may be formed by any twenty (20) or more persons working within the jurisdiction of the International Union by applying to the International Secretary-Treasurer for a Charter, provided, however a Charter may be granted to a group consisting of less than twenty (20) persons by special permission of the International Executive Board.

Section 2. The International Secretary-Treasurer shall furnish the applicants for a Charter with an Application Blank and, when the same has been properly filled out and returned with Twenty-Five Dollars (\$25.00) Charter fee, upon approval of the International Executive Board a Charter shall be granted and initial supplies furnished.

Section 3. The Charter and supplies shall remain the property of the International Union to be used by the Local Union only as long as said Local Union and its members comply with the laws of the International Union.

Section 4. The Charters to be issued to subordinate bodies shall be in the following text, the publication of which shall be in a form determined by the International Executive Board.

CHARTER

The International Union, SECURITY, POLICE AND FIRE PROFESSIONALS OF AMERICA (SPFPA) established for the purpose of effecting a thorough organization of all Security Guards, Security Officers, Security Police Officers, Fire Protection and all other employees performing protection and security activities for private and governmental employers, throughout the United States, Canada and Puerto Rico, does, upon proper application and under conditions herein provided, grant to _____
_____ and to their successors, this Charter for the establishment and future maintenance of an Amalgamated Local Union at _____

and to their successors, this Charter for the establishment and future maintenance of an Amalgamated Local Union at _____

_____ to be known as Amalgamated Local Union No. _____ of the International Union, Security, Police and Fire Professionals of America (SPFPA).

The conditions of this Charter are: That said Amalgamated Local Union forever and under all circumstances shall be subordinate to and comply with all the requirements of the Constitution, By-Laws, and Directives of the International Union, SPFPA as they may from time to time be altered or amended. That said Amalgamated Local Union shall for all time be guided and controlled by all acts and decisions of the International Union, SPFPA as they may from time to time be enacted. That should the Amalgamated Local Union above chartered misuse its rights or privileges conferred under the International Union, SPFPA Constitution and By-Laws or Directives, the International Union, SPFPA may, at any time, take corrective action including the recall of this Charter.

In Witness Whereof, we sign this Charter on behalf of the International Union, SECURITY, POLICE AND FIRE PROFESSIONALS OF AMERICA (SPFPA) this _____ day of _____, _____.

INTERNATIONAL EXECUTIVE BOARD

International President

International Secretary-Treasurer

Section 5. The International Executive Board may reorganize, dissolve, consolidate or merge existing Local Unions under such terms and conditions as the International Executive Board may determine when in the opinion of the International Executive Board the interests and welfare of the International Union and the membership thereof will be better served by such action.

Section 6. Such reorganization, dissolution, merger or consolidation of existing Local Unions shall be conditioned upon the consent of the Local Unions or shall be effectuated after a hearing upon reasonable notice before the International Executive Board or a hearing officer designated by the International Executive Board.

Section 7. If a Local Union disbands, or if a Local Union goes out of existence for any reason, all of the funds, property, and assets of the Local Union shall forthwith revert to and become the property and assets of the International Union. If, within one (1) year thereafter, a new Charter is issued to a Local Union with the same similar jurisdiction, the International Executive Board shall, in order to aid such newly Chartered Local Union in the commencement of its operations, make an appropriation to it in an amount not to exceed the value of such funds, property and assets.

Section 8. If, as a result of a drastic reduction in the membership of a Local Union because of lay-offs or other reasons, the funds, property and assets of such Local Union becomes grossly disproportionate to the number of members remaining, the International Executive Board may, by two-thirds (2/3) vote, after a hearing before it or a hearing officer(s), and for such period of time as it may deem necessary, take possession of and assume control over the expenditures and use of such funds, property, and assets for the purpose of insuring their application in furtherance of the objectives of the Local Union and this International Union, and their conservation in the interest of the membership of the Local Union, as then existing and as subsequently augmented.

ARTICLE XXV

Local Union Officers

Section 1. Each Local shall have the following Executive Officers: Pres-

ident, Vice President, or Vice Presidents, Recording Secretary, Financial Secretary-Treasurer, and one (1) to three (3) Trustees. Each Local has the option to have a Sergeant-at-Arms and/or a Guide.

Section 2. The election of Local Union Officers shall take place by Secret Ballot during January to February 15 of each year and installation of officers shall take place within ten (10) days following the election, except as otherwise authorized by the International Executive Board. After the deadline on accepting nominations set by the Local Union Election Committee, no election of so-called “sticker” or “write-in” candidates shall be considered legal.

Elections of all Local Union Executive Board Officers shall require a majority of the votes cast for the office. Not less than seven (7) days prior to nominations, notice thereof shall be mailed to each member at his/her last known home address. Not less than fifteen (15) days prior to the election, notice thereof shall be mailed to each member at his/her last known address. At least fifteen (15) days shall elapse between the time of nomination and the date the election shall take place. However, the notice of nomination and elections may be combined into one (1) notice.

Section 3. Notwithstanding the above paragraph, Local Unions may extend the period of the officers to two (2) or three (3) years in the following manner. A majority of the membership, present and voting, must approve the extension; the Local Union shall then notify the International Secretary-Treasurer by certified mail, return receipt requested, of the membership vote indicating the year it desires that the extension becomes effective. Unless the International Union Executive Board disapproves within ninety (90) days, by notice to the Local sent by certified mail, return receipt requested, officers shall thereafter be elected for a two (2) or three (3) year term.

Section 4. No member shall be eligible for election as an Executive Officer of the Local Union until he/she has been a member in continuous good standing in the Local Union for one (1) year immediately prior to the nomination, except in the case of a newly organized Local Union. The member must remain in continuous good standing throughout the term of office.

Membership in continuous good standing shall be broken by any dues delinquency, receipt of a withdrawal card, suspension, expulsion, failure to pay a fine, or any other loss of good standing in accordance with the Constitution and By-Laws of the International or Local Union.

No member shall simultaneously hold two or more of the Local Union offices set forth in Section 1 of this Article. An incumbent Local Union officer whose term extends past an election for other Local Union offices, as set forth in Section 1 of this Article, may not be nominated as a candidate or elected for such other offices unless he/she resigns from office on or before the time for nominations.

Section 5. Eligibility for election to other Local Union offices, committees, etc. shall be determined by the Local Union.

Section 6. The Executive Board of each Local Union shall consist of all the elected Union officers and such members at large as the Local may deem necessary.

Section 7. Any member of the Executive Board who is not directly elected to the Board but who holds such office by virtue of his/her holding some other office or position in the Local Union or Unit shall, upon ceasing to hold the latter office or position, automatically cease to hold the office of Executive Board Member.

Section 8. The following rules shall be mandatory in all Local Union elections:

(a) Every member in good standing shall be entitled to vote in all Union elections. Absentee ballots must be provided for members who are unable to vote in person because of circumstances beyond their control such as absence for official union business, work assignment off site, vacation or sick leave. The Election Committee must give members reasonable notice of the availability, conditions and procedures for the use of such ballots.

(b) All elections shall be held under the supervision of an elected or appointed Election Committee.

(c) No candidate in any election shall be a member of the Election Committee having supervision over such election.

(d) Any eligible candidate in any election shall have the right to submit his/her commonly known name to the Election Committee in writing as he/she desires it to appear on the ballot and it shall so appear.

(e) Each candidate shall have the right to have one challenger present at each polling location and during each period when the votes are cast and at each tabulation location or table, as necessary to observe the actual counting of ballots and totaling, recording, and reporting of tally sheets, when the votes are tabulated, provided that each such challenger shall be a member of the Local Union. In any mail election, each candidate shall have the right to have a challenger present at the preparation and mailing of ballots, their receipt by the counting authority, and at the opening and tabulation of ballots.

(f) Following each election, the Election Committee shall report, in writing, the canvass of the results of the election to the next membership meeting. No protest to an election shall be considered unless filed within seven (7) days of the tabulation and tally of votes, in writing with the Financial Secretary-Treasurer of the Local Union. The Financial Secretary-Treasurer of the Local shall forthwith deliver the written protest to the Election Committee, which shall rule on the protest within fourteen (14) days after the protest had been initially filed with the Financial Secretary-Treasurer. Any candidate, or the member or members who had filed the protest, may appeal the ruling of the Election Committee to the membership by filing a notice of appeal with the Financial Secretary-Treasurer within five (5) calendar days of such ruling. The appeal shall be considered at the next membership meeting which is held at least fourteen (14) calendar days from the filing of such appeal. The ruling of the Election Committee shall stand unless overridden by majority vote of the members present and voting at the membership meeting at which the appeal is heard. A vote of the membership which has the effect of ordering or rejecting a new election may be appealed to the International Executive Board in accordance with the procedure set out in Article XXII, Section 3, except that the period for filing of the notice of appeal shall be reduced to fourteen (14) days after the

vote of the membership which is the subject of the appeal. While any appeal is pending before the Local Union Election Committee, the Local Union membership, or the International Executive Board, no new election shall be held, and the candidate(s) winning the original election shall temporarily occupy the affected Local Union offices. In an appeal properly before it, the International Executive Board shall have authority either to dismiss the protest and certify the results of the original election or to rule in favor of the protest and order the holding of a new election. In any event, the decision of the International Executive Board shall be complied with pending any appeal which may be made of the International Executive Board's decision under Article XXII.

Section 9. All vacancies in Local Union offices except the office of President, shall be promptly filled in the following manner. In the absence of a specific Local Union By-Law, approved by the International Union, governing the filling of vacancies in Local Union Offices, the Local President may fill such vacancies by appointment for the balance of the unexpired term, subject, however, to approval by a majority vote of all members of the Local Executive Board. This power of appointment to fill unexpired terms shall extend to all offices and positions in the Local Union, including Steward and Committeeperson. In case of a vacancy in the office of President, the Vice President shall fill the vacancy for the unexpired term provided that, where there are two (2) or more Vice Presidents, the Local Union shall establish fair and reasonable procedure for determining which of the Vice Presidents shall fill the vacancy. In the event that Local Union offices are not promptly filled, the International President may at his/her discretion appoint a member of the Local in good standing to any vacant position.

Section 10. It shall be the duty and obligation of all Local Union officers and Executive Board members, and all other official representatives of the Local Union, whether elected or appointed, to support, advance, and carry out all provisions of this Constitution and By-Laws, official policies of this International Union and, to the extent not inconsistent with the foregoing, all official policies of the Local Union.

Section 11. Local Unions may elect a Business Agent if they so desire, provided he/she has been a member of the International Union in continuous good standing for a period of one (1) year except in the case of a newly organized Local Union.

Section 12. Where run-off elections are necessary because a candidate for Local Union Executive office fails to receive a majority vote, the run-off shall be confined to the two (2) candidates receiving the highest number of votes for the office involved. In the event of a tie vote in a run-off election or other Local Union Election between only two (2) candidates, the candidate with the longer continuous membership in good standing in the Local Union shall be declared the winner. The periods of continuous membership in good standing to be compared under this Section shall include the date of the election. In the event that both candidates in a tie-vote election involving only two (2) candidates have exactly equal periods of continuous membership in good standing, the winner shall be selected by means of a coin toss supervised by the Chairperson of the Election Committee.

ARTICLE XXVI

Union Officers, Stewards and Committeepersons

Section 1. All Unit Officers, Stewards and Committeepersons shall be elected not less than once each year by democratic procedure and by secret ballot among the unit members in good standing. There shall be no “sticker” or “write-in” candidates. Unit Officers, Stewards and Committeepersons may be elected for a term of two (2) years or three (3) years provided the procedures of Article XXV, Section 3, are followed. The procedure for nomination and election is to be determined by the Local Union and the Unit involved in accordance with the provisions of this Constitution and By-Laws.

Section 2. Each Unit shall select its officers and representatives to represent its members as Unit Negotiating Committee and on Grievance procedure only.

Section 3. No member shall be eligible for election as a Unit Officer, Steward or Committeepersons until he/she has been a member in continuous good standing in the Unit for a period of six (6) months immediately prior to the nomination except in the case of a newly organized Unit.

Section 4. Officers, Stewards and Committeepersons may be recalled in accordance with provisions under Article XXI, Section 9, of this Constitution and By- Laws.

ARTICLE XXVII

Installation Ceremony

The installation ceremony may be performed by the retiring President, Acting President or any International Representative.

The Installing Officer says: "Give attention while I read to you the obligation:"

"Do you hereby pledge on your honor to perform the duties of your respective offices as required by the Constitution and By-Laws of this Union: To bear true and faithful allegiance to the International Union, Security, Police and Fire Professionals of America (SPFPA), to the best of your ability and with complete good faith to support, advance and carry out all official policies of the International Union and this Local Union. To deliver all books, papers, and other property of the Union, that may be in your possession at the end of your term, to your successor in office, and at all times conduct yourself as becomes a member of this Union?"

OFFICERS RESPOND, "I do"

The Installing Officer says:

"Your duties are defined in the Laws of the International Union, Security, Police and Fire Professionals of America (SPFPA), and in your obligation, should any emergency arise not provided for in these, you are expected to act according to the dictates of common sense, guided by an earnest desire to advance the best interest of the International Union, and your Local Union. I trust you will all faithfully perform your duties, so that you may gain not only the esteem of your Brothers and Sisters but, what is of even more importance, the approval of your conscience".

"You will now assume your Office."

ARTICLE XXVIII
Duties of Local Union Officers

PRESIDENT

Section 1. It shall be the duty of the President to preside at all meetings of the Local Union, sign all orders on the Treasury authorized by the Local Union, countersign all checks issued by the Financial Secretary-Treasurer against account of the Local Union when ordered by the Union, enforce the provisions of this Constitution and By-Laws and appoint committees not otherwise provided for. Except as provided in Article XXV, Section 8 (c), he shall be a member Ex Officio of all committees.

VICE PRESIDENT

Section 2. The Vice President or Vice Presidents shall assist the President in the discharge of his duties and shall attend all sessions of the Local Union, in the absence of the President or as deemed necessary by the Local Union. In the case of the absence or incapacity of the President, his/her duties shall be performed by the Vice President(s). The Local Union shall determine which of them shall perform such duties.

RECORDING SECRETARY

Section 3. It shall be the duty of the Recording Secretary to keep a correct record of the proceedings of the Local Union, read all documents and conduct the general correspondence received by the Local which does not pertain directly to the duties of the other officers of the Local Union, and keep same on file for future reference. He/she shall bring to the attention of the membership of the Local Union any correspondence upon which the membership must take action. He/she shall furnish to the International President at least four (4) copies of the existing contracts.

FINANCIAL SECRETARY-TREASURER

Section 4. It shall be the duty of the Financial Secretary-Treasurer to receive all dues, initiation fees, re-admission fees, fines and all other incomes of the Local Union for any fund from any source and to give

official receipts for same, as provided in this International Constitution and By-Laws. Financial Secretary-Treasurers of Local Unions having a check-off arrangement shall issue one (1) receipt for the check received from the Company and otherwise use the procedure outlined above for any other income. No receipt shall be issued to individual members unless the Company does not show on the check stub or pay envelope the amount of the deduction and the reason therefore.

Section 5. He/she shall write all checks drawn on the Local Union funds and report in writing every month at a regular meeting of the Local Union giving the amount of monies received and paid out during the previous calendar month, divided as between the various income and expenditure classifications and the remaining balances in the fund accounts of the Local Union.

Section 6. All monies received must be deposited in such bank as the Local Union Trustees may direct for the several funds provided for in this International Constitution and By-Laws and such other funds as the Local Union may set up in the name and number of the Local Union. The International Secretary-Treasurer shall be named as a signator and account holder on all Local Union bank and other financial accounts, and shall be provided with the name and location of the bank and the account number. He/she shall sign all checks which must be countersigned by the President. He/she shall report in writing at each regular meeting of the Local Union the total receipts and total expenditures for the Local Union from the last report, and the amount of money still on deposit. He/she shall deliver to his/her successor all monies and other property of the Local Union. He/she shall, on demand of this International Union or Trustees of the Local Union, produce his/her books for examination and audit.

Section 7. He/she shall, by the 20th of each month send a report to the International Secretary-Treasurer on blanks furnished by this International Union, together with the correct amount of money due this International Union for the preceding month which begins on the first and ends on the last day of the month. He/she shall receive applications for membership and notify the candidates of their election or rejection. He/she shall assist this International Union in seeing that all members receive the official publication regularly when eligible, provide each member with an official

receipt for all monies paid and provide each member with a copy of this Constitution and By-Laws.

Section 8. He/she shall furnish the International Secretary-Treasurer with the names and addresses of all the officers of the Local Union. He/she shall keep a record of all members initiated, suspended, expelled or deceased, transfers in and out and reinstatements during his/her term of office and notify the International Secretary-Treasurer of same and perform such other duties as this Constitution and By-Laws prescribe or the Local Union may direct. There shall be maintained by the Financial Secretary-Treasurer a complete record of all active members of the Local Union. This record shall have the date of initiation, the date and cause of suspension or expulsion, the date of reinstatement together with the date of death, home address, and such other matters as may be deemed necessary to keep a record of the continuous membership of a member of the Local Union.

Section 9. He/she shall keep an inventory of all records and property of the Union, the same to contain, when possible, date of purchase and amount paid for each article. He/she shall notify all members in arrears of the amount of their indebtedness and turn over his/her books to the Trustees for audit and approval when called to do so. He/she shall, on the demand of the International Secretary-Treasurer, produce his/her books for examination and audit, and shall comply with provisions of this International Constitution and By-Laws.

Section 10. Should it be proven that any Local Union Financial Secretary-Treasurer has willfully and intentionally failed to report monthly the full membership of his Local to the International Secretary-Treasurer or should it be proven that any Local Union President, and/or Financial Secretary-Treasurer willfully and intentionally refused to sign a check to send in the full amount of per capita taxes on the same number of members who have paid dues to the Local Union, the officer or officers responsible for such failures shall be subject to removal in accordance with Article XXI, Section 14-16 and shall not be allowed to again hold office in either the International or Local Union for a period of two (2) years.

TRUSTEES

Section 11. The Trustees shall have general supervision over all funds and property of the Local Union. They shall compile or cause to be compiled by a Certified Public Accountant, approved or designated by the International Union, the records of the Financial Officers of the Local Union quarterly as provided herein, using duplicate forms provided by this International Union a copy of which shall be forwarded to the International Secretary-Treasurer immediately thereafter. The approved or designated International Union CPA shall also prepare the Local Union LM-2 and similar reports. It shall also be their duty to see that the Financial Officers of the Local Union are bonded in conformity with the Laws of the International Union. The Trustees shall see that all funds shall be deposited in a bank subject to an order signed by the President and/or Financial Secretary-Treasurer and/or International Secretary-Treasurer. In Local Unions where safety deposit boxes are used, the Trustees shall see that the signatures of the President, Financial Secretary-Treasurer and one of the Trustees and the International Secretary-Treasurer are required before admittance to the Safety Deposit box is permitted. In the event the books are not received for compilation within fifteen (15) days after the end of each quarter, the Chairman of the Trustees shall make a report to the next meeting of the Local Union for action.

SERGEANT-AT-ARMS

Section 12. It shall be the duty of the Sergeant-at-Arms to introduce all new members and visitors and assist the President in preserving order when called upon to do so. He/she shall also take charge of all property of the Local Union not otherwise provided for, and perform such other duties as may be assigned to him/her from time to time.

GUIDE

Section 13. It shall be the duty of the Guide to maintain order, inspect the membership receipts, satisfy himself/herself that all present are entitled to remain in the meeting of the Local Union and perform such other duties as are usual to the office.

Section 14. These Elected Officers shall comprise your Local Executive Board.

Section 15. The Local Union shall be governed by its membership in the following manner:

(a) The highest Tribunal shall be the membership composed of members of all Units in good standing.

(b) Between membership meetings, the highest authority shall be the Local Union's Executive Board.

(c) Between meetings of the Local Union Executive Board, the administrative authority shall be vested in the Local Union President. The Local Union's President shall be responsible to the Local Union's Executive Board for the administration of the Local Union between the Local Union Executive Board meetings according to this Constitution and By-Laws. On all matters of importance he/she shall consult with other Local Union Executive Board officers. He/she shall report his/her actions to the Local Union's Executive Board for its approval or rejection.

(d) Unless specifically provided otherwise in the Local Union's By-Laws, the Local Union President and Financial Secretary-Treasurer shall be charged with like duties and responsibilities in the conduct of the affairs of their Local Union as the President and Secretary-Treasurer of this International Union in the conduct of the affairs of this International Union, under Article XIII.

ARTICLE XXIX

Duties of Local Union Members

Section 1. It should be the responsibility of each member to conscientiously, and to the best of his/her ability, seek to understand and exemplify the intent and purpose of his/her obligation as a member of this International Union.

To this end, each member is encouraged to render aid or assistance to Brother or Sister members in cases of illness, death or distress. Each mem-

ber is also encouraged to exercise his/her Constitutionally-protected right to vote by participating in Local, State and Federal elections through registration and voting.

ARTICLE XXX

Duties and Powers of Subordinate Bodies

Section 1. All subordinate bodies shall submit any and all By-Laws governing said subordinate bodies to the International Executive Board for ratification of same.

Section 2. Each subordinate body shall strive to attain the objectives set forth in this Constitution and By-Laws, to cooperate with the International Executive Board members, the International Officers and Representatives and help promote organizational activities.

Section 3. No Local Union or other subordinate body, and no officer, agent, representative or member thereof shall have the power or authority to represent, act for, commit or bind the International Union in any manner except on express authority having been granted by the International Executive Board or the International President.

Districts

Section 4. (a) The International Executive Board may establish, rearrange, consolidate or dissolve Districts when in its judgment the goals and purposes of the International Union and the interests of Local Unions will be served. Such Districts may be on a geographical, industry, occupation or other basis as established by the International Executive Board.

(b) The International Executive Board shall establish the jurisdiction of Districts, appoint District representatives and issue rules prescribing District activities.

(c) All Local Unions within the jurisdiction of a District shall affiliate with and participate in the activities of the District.

(d) A District is not and shall not become established as a "labor or-

ganization” as defined in the Labor Management Relations Act, 1947, as amended, or the Labor-Management Reporting and Disclosure Act of 1959, as amended.

Section 5. No Local Union or other subordinate body shall retain or employ an attorney for the purpose of providing legal service in such matters as, but not limited to, contract negotiation, grievance processing, arbitration or administrative charges without express authorization of the International Union President or his designee.

ARTICLE XXXI

Initiation Ceremony

The President shall say to the Guide —

“You will now place the candidate before me for the Obligation.” The Guide advances with the Candidate and places him/her in front of the President’s Station. All newly elected members, before being admitted to full membership, shall subscribe to the following obligation:

“I, _____
pledge my honor to faithfully observe the Constitution and By-Laws of this Union and the Constitution of the United States (or the Dominion of Canada, as the case may be); to comply with all the rules and regulations of the Government thereof, not to divulge or make known any private proceedings of this Union, to faithfully perform all the duties assigned to me to the best of my ability and skill; to so conduct myself at all times as not to bring reproach upon my Union, and at all times to bear true and faithful allegiance to this International Union, Security, Police and Fire Professionals of America (SPFPA).”

ARTICLE XXXII

Opening and Closing Ceremonies

“I now declare this meeting of Local No. ____ of the International Union, Security, Police and Fire Professionals of America (SPFPA), open for the transaction of such business as may properly come before it.”

The following order of business is suggested, but it may be altered to suit the requirements of each Local Union.

1. Roll Call of Officers.
2. Applications for Membership.
3. Voting on Applications.
4. Initiation of Candidates.
5. Reading of the Minutes of the Previous Meeting.
6. Report of the Financial Secretary-Treasurer.
7. Reports of Officers, Committees and Delegates.
8. Communications and Bills.
9. Unfinished Business.
10. Good and Welfare.
11. Does anyone know of a member out of work or in distress?
12. New Business.
13. Closing.

(All questions of Parliamentary Nature shall be decided by the Roberts Rules of Order.)

ARTICLE XXXIII

Local Union Funds

Section 1. The funds of each Local Union shall be used to defray all necessary expenses which must be approved by the Local Union in regular meeting. In the payment of “lost time” and/or expenses to Local officers,

representatives or members, the Local Union shall be responsible for all applicable taxes, and it shall prepare and file all necessary tax forms and reports such as W-2 forms.

Section 2. Funds as previously authorized and approved by the Local Union shall be used to defray all necessary expenses incurred by any of its Units. All monies shall be retained in the Local Union Treasury.

Section 3. All appeals by Local Unions to other Local Unions for funds must be approved by the International Union before they shall be recognized. Such appeals must be promptly approved or disapproved.

ARTICLE XXXIV

Local Union Dues

Section 1. A Local Union may establish membership dues in an amount exceeding the minimum prescribed in Article XVII, Initiation Fees and Dues. Such action by a Local Union shall require ratification by a majority of the votes cast by Secret Ballot at a Local Union meeting, due notice of which has been given to the membership seven (7) days prior to the date of said meeting and shall be subject to the approval of the International Executive Board whose approval must be obtained before such dues are levied.

Section 2. A Local Union is empowered to provide for the forfeiture of the membership of a delinquent member for the non-payment of dues without the necessity of proceeding by the filing of charges and the conducting of a trial.

ARTICLE XXXV

Local Union Audits

Section 1. The Fiscal Year of the Local Union shall begin the First day of April of each year and end March 31st of the following year.

Section 2. Local Union compilations may be called by order of the Local Executive Board or the Board of Trustees. Each Local Union is required to have an annual compilation performed by a Certified Public Accountant

approved or designated by the International Union or a properly authorized representative, said representative to be selected and approved by the membership, and such annual report must be forwarded to the International Secretary-Treasurer within fourteen (14) days of its completion.

Section 3. Should inaccuracies or discrepancies appear to exist in a Local Union, the International Secretary-Treasurer, upon the approval of the International President or the International Executive Board, shall have the authority to designate a representative to take charge of and audit all financial books, records and accounts of said Local Union and/or may direct the International Union CPA to audit same.

Section 4. The report and findings of the representative and/or the Certified Public Accountant approved or designated by the International Union shall be filed with the President of the Local Union and the Secretary-Treasurer of this International Union.

Section 5. Should an audit or compilation by or of a Local Union reveal a misappropriation of funds, the International President or the International Executive Board may summarily suspend from Local Union office or other Local Union position any member who appears to be responsible for such misappropriation, pending further investigation or action by the International Executive Board. If in the judgment of the International Executive Board the facts warrant, the International Executive Board or a hearing officer(s) appointed by it shall conduct a hearing to determine the guilt or innocence of the member, or members, involved. It shall require a two-thirds (2/3) vote of the International Executive Board to find a member guilty. A member found guilty by the International Executive Board shall be removed from any office or position he/she may hold in the Local Union, and he/she shall not thereafter be eligible to hold any office or position in any Local Union or in this International Union. The affected member may appeal from the decision of the International Executive Board in accordance with Article XXII, Section 8 or 9. Under no circumstances shall a misappropriation of funds be written off the books of a Local Union or a final settlement of same be made without the approval of the International Secretary-Treasurer.

ARTICLE XXXVI

Strike Authorization

Section 1. All strikes, work stoppages, or any other cessation of employment shall only be in accordance with the rules and regulations promulgated by the International Executive Board.

Section 2. Any Local Union engaging in a strike which is called in violation of this Constitution and By-Laws and without authorization of the International President and/or the International Executive Board shall have no claim for financial or organizational assistance from this International Union, or any affiliated Local Union.

Section 3. The International President, with the approval of the International Executive Board, shall be empowered to revoke the Charter of any Local Union engaging in such unauthorized strike action, thereby annulling all privileges, powers and rights of such Local Union under this Constitution and By- Laws.

Section 4. Any act by any member or subordinate group which shall be in contravention of any of the sections of this Article and are in violation of the following indicated below shall not be construed to be the act of this International Union.

(a) The instigation or calling of any strike or boycott without express authority from the International Executive Board or International President.

(b) Any member of this International Union or Local Union who counsels, causes, participates in or ratifies any action which constitutes a breach of contract between an employer and his/her employees.

(c) Any Local Union or agent acting in behalf of the Local Union or International Union without express authority of the International Executive Board or International President.

ARTICLE XXXVII

Strike Authorization Rules And Regulations

In accordance with Article XXXVI, Section 1 of the International Constitution and By-Laws, the following rules and regulations are set forth for the approval of all strike actions:

Section 1. Whenever any difficulty arises within the jurisdiction of any Local Union or within any Unit between its members and any employer or employees, growing out of reduction in wages, lengthening of hours of labor, or whenever any Local Union or Unit desires to secure for its members an increase in wages, a shorter work day or other changes in the conditions of employment, the Local Union or Unit involved shall call a meeting of all its members to decide by Secret Ballot whether the proposed contract or any supplement thereof shall be accepted or rejected. The majority vote of those present and voting on the question shall decide. If the Local Union or Unit involved rejects a contract or any supplement thereof, such rejection shall constitute an authorization to declare a strike subject to approval of the International Executive Board. Only members in good standing shall be entitled to vote on the question of approving or rejecting a contract or any supplement thereof.

Section 2. Before a strike is called, the Local Union must first secure authorization from the International Executive Board. A majority vote of the members of the International Executive Board is required before strike action can be taken. Strike authorization may be withheld if the Local Union or Unit thereof is delinquent in its payment of per capita tax to the International Union.

Section 3. In case of an emergency where delay would seriously jeopardize the welfare of those involved, the International President, after consultation with other members of the International Executive Board, may approve a strike pending the submission to, and securing the approval of the International Executive Board, provided such Authorization shall be in writing.

Section 4. Before a strike shall be called off, a Special Meeting of the Local Union or the Unit involved shall be called for that purpose, and it

shall require a majority vote by Secret Ballot of all members present to decide the question either way.

Section 5. Whenever the International Executive Board decides that it is unwise to continue an existing strike, it will order the members of the Local Unions who have ceased work in connection therewith to resume work and thereupon and thereafter all assistance from this International Union shall cease.

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