CONSTITUTION
of the
International Brotherhood of
Boilermakers, Iron Ship Builders,
Blacksmiths, Forgers, and Helpers

Affiliated with the
American Federation of Labor and Congress of Industrial
Organizations (AFL-CIO) and Canadian Labour Congress (CLC)

International Headquarters
753 State Avenue
Kansas City, KS 66101

As revised and adopted at the
32ND CONSOLIDATED CONVENTION
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HISTORICAL

The International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers, and Helpers was born on September 1, 1893. On that day, at a meeting in Chicago, representatives from the International Brotherhood of Boiler Makers and Iron Shipbuilders, which had been organized on October 1, 1880, and the National Brotherhood of Boiler Makers, which had been formed in Atlanta in May of 1888, resolved to consolidate their organizations. It was decided that William Lee Andrew Johnson, who had served as President of the National Brotherhood, and William J. Gilthorpe, who had been Secretary-Treasurer of the International Brotherhood, would retain these positions in the new organization, and that International Brotherhood President Andrew Kier and National Brotherhood Secretary-Treasurer Raymond Garcia would step aside. It was further agreed that the new organization, to be known as the Brotherhood of Boilermakers and Iron Shipbuilders of America, would make its headquarters in Kansas City, Kansas.

Two-and-one-half years later, on June 9, 1896, the Brotherhood affiliated with the American Federation of Labor.

In subsequent years, the Brotherhood continued to grow, and in 1902, under the guidance of President John McNeil, who had succeeded President Johnson after his retirement in May 1897, the Helpers Division was formed. Because helpers were barred from sitting in the lodge room with mechanics, this new division had its own local unions and was entirely separate from the Boiler Makers. This would change a decade later when the Helpers Division would be consolidated with the Mechanics Division.

In March 1906, at a special Convention in Kansas City overseen by President George F. Dunn, who had replaced President McNeil in February 1905, the name of the union was changed to the International Brotherhood of Boilermakers, Iron Shipbuilders, and Helpers of America in order to incorporate the newest division. Also at this time, the term “Boiler Makers” was condensed into one word: Boilermakers.

At the 8th Consolidated Convention, held in St. Paul in 1908, three major decisions were made. First, the Helpers Division was granted International vice-presidential representation with the election of John H. Dohney of the Western Division and John F. Schmitt of the Eastern Division. Second, N. W. Quesnel was elected to serve as the first Canadian International Vice President. Finally, with his election, Joseph A. Franklin began his long, and at times tumultuous, tenure as International President. With the exception of a 10-month period — from November 20, 1929, when he was relieved of his duties by the International Executive Council and replaced by Assistant International President William Atkinson, to September 1930, when he was re-elected by the delegates at the 15th Consolidated Convention — J. A. Franklin held the position of International President until his 1944 retirement at the 17th Consolidated Convention.
During his presidency, Franklin oversaw many changes in the organization. He served with five different Secretary-Treasurers including William J. Gilthorpe, who retired in 1914 with over 19 years of service, Frank Reinemeyer (1914-1920), Joseph Flynn (1920-1926), Charles F. Scott (1926-1936), and William E. Walters (1936-1945). In addition, President Franklin affiliated the Boilermakers with the National Building Trades Department of the American Federation of Labor in February 1931. Most impressive, though, is the tremendous membership growth that occurred during Franklin’s presidency. At the turn of the century, total membership stood at about 8,500, but by Franklin’s retirement, due in part to dramatic increases in the shipbuilding, railroad, and fabrication shop industries during World War II, the Boilermakers numbered over 350,000.

After Franklin’s retirement in 1944, Charles MacGowan was elected to serve as International President by the delegates of the 17th Consolidated Convention. About a year later in 1945, International Secretary-Treasurer Walters passed away and the International Executive Council elected William J. Buckley to the office.

Under the direction of these two men, the Boilermakers continued to progress. On January 22, 1948, construction of the New Brotherhood Building began, and in September 1949, International headquarters moved to its current location — the fifth floor of the new building.

Five years later, International President MacGowan and International Secretary-Treasurer Buckley presided over the Boilermakers’ 19th Consolidated Convention in Minneapolis, which merged their organization with the International Brotherhood of Blacksmiths, Drop Forgers, and Helpers. The International Brotherhood of Blacksmiths was organized in 1889, and added Helpers to both their membership and their name in 1901. A 1919 merger with the Brotherhood of Drop Forgers created the union that, on June 29, 1953, merged with the Boilermakers to form the International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers, and Helpers. A year later, a new International seal was adopted to include all crafts.

In 1954, International President MacGowan retired and the International Executive Council elected William Calvin as his replacement. President Calvin served until his death on January 27, 1962, whereupon International Vice President Russell K. Berg was elected by the International Executive Council to succeed him.

During President Calvin’s term, several important services were created by the Boilermakers union: the Boilermaker National Health and Welfare Fund (Oct. 1, 1954); the Boilermakers National Joint Apprenticeship Fund (Nov. 9, 1959); and the Boilermaker-Blacksmith National Pension Trust (Oct. 1, 1960).

In 1958, International Secretary-Treasurer Buckley died and the International Executive Council elected International Vice President Homer E. Patton as the new International Secretary-Treasurer.
At the 24th Consolidated Convention in August 1973, International President Harold J. Buoy, who had been promoted from his position of Special Assistant to the International President upon the retirement of R. K. Berg in 1970, and International Secretary-Treasurer Charles F. Moran, who had replaced Homer Patton after his retirement on March 31, 1973, were each elected to a four-year term.

At the 25th Consolidated Convention in Vancouver, British Columbia, an International Executive Council sub-committee, led by Southeast International Vice President Charles W. Jones, proposed the establishment of a Construction Division at International headquarters to service members with employment in or related to the construction industry. After extensive debate, delegates to this 1977 convention voted by majority action to establish a Construction Division at International headquarters.

In 1983, Harold Buoy retired and International Vice President Charles W. Jones was elected International President by the International Executive Council.

The next year, on March 15, 1984, the delegates to the Special Merger Convention of the United Cement, Lime, Gypsum, and Allied Workers International Union (CLGAW) voted to merge with the International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers, and Helpers. The merger of the CLGAW, and its 10,000 members (which dominated the building products and supplies industry) with the Boilermakers union, forged an organization with a greater ability to provide services to its members, and set the stage for the next Boilermaker convention.

Almost two-and-one-half years later, in August 1986, delegates met at the 27th Consolidated Convention in Hollywood, Florida. After spirited debate and internal division, International President Jones and International Secretary-Treasurer Don Whan, a Canadian International Vice President who had been chosen to succeed International Secretary-Treasurer Moran after his retirement earlier in the year, were re-elected to their respective positions.

After the 27th Convention, political and ideological differences within the organization calmed, though those who lost their bid for higher office and control of the union did lure a few thousand members into an independent group called the Independent Workers of North America. This outfit, headed by the former president of the CLGAW and a former Boilermaker Vice President, ultimately failed, and the members were absorbed by the Papermakers, an AFL-CIO affiliate.

Five years after the 27th Consolidated Convention, political wounds had healed and the Boilermakers were once again a unified body. The 28th Consolidated Convention was held in Las Vegas, Nevada, in August 1991. International President Charles W. Jones and International Secretary-Treasurer Jerry Z. Willburn, a director of the National Transient Division who had been elected to succeed International Secretary-Treasurer Whan after his retirement on April 1, 1989, were unanimously re-elected along with the entire International Executive Council.
Having completed the 28th Consolidated Convention as a unified Brotherhood, International President Charles W. Jones began to seek out compatible merger partners. In July 1993, contact was made with the Stove, Furnace, and Allied Appliance Workers International Union — a skilled trade union that was organized in 1891. Discussions ensued and a merger of the two Brotherhoods was consummated October 1, 1994. The Stove Workers, with 5,800 members, became a division of the International Brotherhood known as the Stove, Furnace, Energy, and Allied Appliance Workers Division. The word energy was added to give special recognition to the coal miners within that division. The division’s members are employed primarily in the manufacturing of stoves and various types of appliances.

Merger talks were also being carried out with an independent union known as the Western Energy Workers. This one-local union, formed in 1978 with members employed in the coal strip pits, signed a merger agreement with the Boilermakers effective December 1, 1994.

In August 1996, the 29th Consolidated Convention was held in Las Vegas, Nevada. International President Charles W. Jones and International Secretary-Treasurer Jerry Z. Willburn were unanimously re-elected. All members of the International Executive Council were also re-elected.

Shortly thereafter, ongoing merger discussions culminated in an agreement with the Metal Polishers, Buffers, Platers, and Allied Workers International Union. This union was also an old line, skilled trade union that was organized in 1892. Effective October 12, 1996, this merger brought 4,000 new members, who are employed primarily in plating and polishing shops within the United States and Canada.

Upon his retirement in 2003, International President Charles W. Jones was succeeded by Newton B. Jones. Two years later, in 2005, International Secretary-Treasurer Jerry Z. Willburn retired and was succeeded by William T. Creeden.

Delegates to the 31st Consolidated Convention in July 2006 re-elected International President Newton B. Jones and International Secretary-Treasurer William T. Creeden to their first full five-year terms and returned all incumbent International Vice Presidents to office.

With the goal of reducing expenses, delegates granted authority to the International Executive Council to decrease the number of International officers (set at 11 going into the convention) through attrition. In addition, the International Executive Council was granted authority, upon the recommendation of the International President, to realign territorial sections and the administration of the divisions, and to consolidate or redistribute the duties among other officer positions in conjunction with any office elimination.

At the 32nd Consolidated Convention in July 2011, delegates re-elected all International officers by acclamation. The officers ran as a slate that included

Delegates to the 2011 convention also approved substantial structural changes to the Brotherhood that included establishing a Construction Sector Operations (CSO) Division and an Industrial Sector Operations (ISO) Division. The purpose of the CSO Division is to service members who have an employment relationship in the Construction Sector. It comprises the Construction Sector Division, the National Transient Division, the Quality Control Council, and all other construction industries.

The purpose of the ISO Division is to service members who have an employment relationship within the Industrial Sector. It comprises the Cement, Lime, Gypsum, and Allied Workers (CLGAW) Division; the Shipbuilding and Marine Division; the Railroad Division; the Stove, Furnace, Energy, and Allied Appliance Workers (SFEAW) Division; and members engaged in manufacturing, including boiler manufacturing; blacksmithing; forging; and all other non-construction industries.
PREAMBLE

In a representative democracy the economic guarantee of liberty, the natural right of those who toil to enjoy with their families the products of their labor, is uniquely essential to the welfare of a people.

In an organic unity, social justice demands recognition of this inalienable right. An organization that draws workers together, affording mutual assistance in securing just wages, reasonable hours and favorable conditions of employment, requires recognition of this natural propensity of man to live in society; cooperation, friendliness, and good understanding demand the forthright acceptance of duties among workers and mutual responsibilities between them and their employers.

Therefore, in furtherance of the ultimate purpose of social justice, cooperation, and good understanding and in order to assist our fellow craftsmen to continue their advancement, we have organized this International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers, and Helpers, and have adopted this body of law as its International Constitution.
ARTICLE 1

OBJECTIVES AND GOVERNMENT

1.1 – Name and Composition

The name of this organization shall be the International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers, and Helpers, which shall be composed of the International Brotherhood, including District Lodges, Local Lodges, and Industrial Councils, together with all other subordinate bodies properly chartered by the International Brotherhood. The International Executive Council may alter or amend the name of this organization at any time to facilitate a merger with another compatible union. This International Brotherhood shall not be dissolved while there are seven (7) Local Lodges in good standing.

1.2 – Purposes and Objectives

This organization is founded on the principle that in a democracy, good unionism is good citizenship. The purposes of this International Brotherhood are to implement the exercise of the natural right of workers to organize that they may more securely work with dignity; to establish the contentment of freedom and security; to enable its members to participate actively in self-government; to unite into one International Brotherhood all workers eligible for membership, regardless of religion, race, creed, color, national origin, age, or sex; to secure improved wages, hours, working conditions, and other economic advantages for the members through collective bargaining, through advancement of our standing in the community and in the labor movement, and through other lawful methods; to provide educational advancement and training for officers, employees, and members; to safeguard and promote the principle of free collective bargaining, the rights of workers, farmers, and consumers, and the security and welfare of all the people by political, educational, and other community activity; to protect and strengthen our democratic institutions and preserve and perpetuate the cherished traditions of democracy; to protect and preserve the union as an institution and in the performance of its legal and contractual obligations.

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

This International Brotherhood will strive through collective bargaining for immediate objectives, such as reasonable standard of work-
ing conditions and hours, just compensation for work done, and an an-
nual family living wage commensurate with our modern society. We
seek the cooperation of other progressive, constructive, and intelligent
combinations of workers for the attainment of these ends.
Thus, by our mutual efforts, and with due regard for the rights of
employers and concern for the public interest, there will accrue to the
members of this International Brotherhood and those similarly situated,
increased benefits and sufficient leisure time to pursue civic, cultural,
spiritual, and other beneficial activities.

1.3 – Government

The International Brotherhood, when assembled in Convention,
shall be the highest tribunal of this International Brotherhood and shall
have full jurisdiction over the International Brotherhood and all District
and Local Lodges and other subordinate bodies.

1.4 – Powers of the International Brotherhood

The powers of this International Brotherhood while in Convention
session shall be legislative, executive, and judicial.

1.5 – Vesting of Powers

When the International Brotherhood is not in Convention session, its
executive and judicial powers only shall be vested in an International
Executive Council, hereinafter called the “Executive Council.”

1.6 – Headquarters

The permanent headquarters of the International Brotherhood shall
be in Kansas, except that the International President and the Executive
Council are authorized and empowered, if they deem such action nec-
essary and to the best interests of the International Brotherhood, to
transfer the permanent headquarters of the International Brotherhood.

ARTICLE 2
CONVENTION

2.1 – Place, Time, and Expense

The next Convention of this International Brotherhood shall be held
in 2016, at a time and in a city to be determined by the Executive Coun-
cil. The defraying of all legitimate operating expenses, transportation
expenses, Convention allowances and expenses, including, but not lim-
ited to, Convention gifts and mementos; social functions and Conven-
tion banquets, luncheons, and receptions; and entertainment of dele-
gees, delegates’ family members, and invited guests of the Conven-
tion, shall be borne by the General Fund, and the arrangements therefor
shall be made by the Executive Council. Should the General Fund be in-
adequate to defray all Convention expenses, such shall continue to be paid from other International union funds as determined by the International President and approved by the Executive Council.

2.2 – Delegate Representation

2.2.1 – Local Lodge Voting Strength

Total number of votes each Local Lodge of the International Brotherhood will be eligible to cast shall be on the following basis: one (1) vote for each member in good standing. Any one delegate may cast the full vote of that delegate’s Local Lodge. Not more than seven (7) delegates shall be seated from any Local Lodge. The number of votes allotted to each Local Lodge shall be on the basis of the membership as shown to be in good standing as of the March report preceding the Convention, and no delegate shall be seated unless such report has been filed with the International Secretary-Treasurer on or before May 31st of such Convention year. There shall be no deviation from the foregoing stated months without prior approval of the Executive Council. Only Lodges instituted prior to June 1 preceding the Convention, shall be entitled to representation. Any delegate whose Lodge is two (2) full months in arrears for Per Capita Tax, or other charges, shall not be seated in the Convention.

2.2.2 – District Lodge and Industrial Council Representation

Representation from District Lodges and Industrial Councils of the International Brotherhood shall be on the following basis: The District and Council officers designated herein shall attend the International Brotherhood Convention with expenses paid in accordance with Article 2.6: Marine District Lodges — Executive Secretary or elected alternate; other District Lodges — District Representative (or equivalent) or elected alternate; Industrial Councils — Industrial Council Representative or elected alternate. They shall have voice and one (1) vote each in the proceedings of the Convention except that they shall not be entitled to vote in the election of International Officers. Each District Lodge and Industrial Council shall be entitled to elect up to six (6) additional delegates. Such additional delegates shall be seated with all rights of other delegates, but in no event shall the District Lodge or Industrial Council be entitled to more than one (1) vote.

2.3 – Qualifications of Delegates

To be eligible for nomination and election as a delegate to the International Convention, a member shall be:

2.3.1. Actively working under the jurisdiction of the International Brotherhood or actively seeking and available for work under the jurisdiction of the International Brotherhood for at least twelve (12) months immediately prior to nomination date, or a full-time salaried officer or
representative of the International Brotherhood or of a subordinate body thereof, or of the AFL-CIO, CLC, or any department thereof, or is on authorized leave of absence from any such position;

2.3.2. Free from delinquency of every nature to the International Brotherhood;

2.3.3. In continuous good standing in the International Brotherhood and the Local Lodge from which the member is elected a delegate for a period of at least two (2) years immediately prior to the time of nomination, excepting at date of nominations in Lodges chartered less than two (2) years there shall be no length of membership eligibility requirements, except as provided in Article 2.2.1; members of consolidated Lodges and members directed by the International President to transfer their membership;

2.3.4. Shall have attended regular meetings of the Lodge as required by approved Local Lodge By-Laws to establish eligibility, and;

2.3.5. Who is not disqualified under Article 25.4.5.

There shall be no deviation from the foregoing qualifications of delegates without prior approval of the International President.

2.4 – Selection of Delegates

The Local Lodge delegates to the International Convention shall be elected by secret ballot, unless chosen as delegates by virtue of their office, as provided in this Constitution or in approved By-Laws. Nominations of such delegates shall be held in the month of March and elections shall be held in the month of April at a regular or special meeting, unless otherwise approved by the International President. The procedure for nominations and election of delegates shall be in accordance with procedures for nominations and election of Local Lodge officers as set forth in Article 25. Those nominees for delegate who fail to receive a sufficient number of votes to be named delegate shall be designated as alternates, in the order of number of votes received, to serve in case of death, illness, resignation, or removal of the regularly-elected delegate.

Notice of the date, time, and place of nominations shall be mailed to each member in good standing to the member’s last-known home address at least fifteen (15) days prior to such date; and notice of the date, time, and place of election shall be mailed to each member in good standing to the member’s last-known home address at least thirty (30) days prior to such date; provided, however, that such notices may be combined in one notice. The foregoing provisions of this section shall not apply in the case of District Lodge and Industrial Council delegates selected pursuant to the provisions of Article 2.2.2. An International Officer by virtue of office shall be seated as a delegate-at-large with voice and one (1) vote in the proceedings of the International Convention. International Representatives who are not elected delegates from the Local Lodge in which they hold membership, or a retired International Officer, or a full-time of-
ficer or representative of the AFL-CIO, CLC, or any department thereof shall, with the approval of the International President, be seated as delegates-at-large with all rights of other delegates except the right to vote.

2.5 – Credentials

The International Secretary-Treasurer shall send credentials to all eligible Lodges in good standing not less than seventy (70) nor more than one hundred twenty (120) days prior to the convening of the Convention. Credentials must be returned to the International Secretary-Treasurer no later than thirty (30) days prior to the date of the convening of the Convention.

2.6 – Transportation and Expenses of Delegates

One (1) delegate from each Lodge in attendance at the International Brotherhood Convention shall be reimbursed for transportation costs on the basis of the lowest-available coach class plane fare that can be obtained by the most direct air route between the location of the Local Lodge and the International Convention city, five (5) nights lodging up to a maximum rate of One Hundred Fifty Dollars and Eight Cents ($150.08) per night (receipts required for plane fare and hotel), and Two Hundred Fifty Dollars ($250.00) per day allowance to be paid by the International Secretary-Treasurer from the General Fund. Said allowance shall apply for the number of days the Convention is in session and the two (2) days prior to the date of the convening of the Convention and the two (2) days following the date of adjournment of the Convention. The per day allowance set forth herein shall be payable for the 32nd Consolidated Convention. Effective for the 33rd Consolidated Convention, the above referenced delegate expenses and allowance shall not be paid by the International unless the delegate stays in a room which is part of the negotiated block of rooms at the hotel where the Convention is held.

2.7 – Convention Quorum

A majority of the combined number of all Local Lodges, District Lodges, and Industrial Councils represented at any Convention shall constitute a Convention quorum to transact business. Issues other than election of International Officers shall be resolved by majority vote of those delegates present and voting by voice vote, standing vote, or roll-call vote based on voting strength if such roll-call vote is requested by a majority of the delegates present.

2.8 – Authority of Presiding Officer

The International President shall preside at all Conventions of the International Brotherhood, preserve order, and enforce the laws thereof. The International President shall decide all questions of order and all constitutional questions, subject to appeal to the Convention.
2.9 – Submission of Resolutions by Subordinate Bodies

The International Secretary-Treasurer shall notify the subordinate bodies to submit to the International President all proposed amendments to the International Brotherhood Constitution, in duplicate, not later than thirty (30) days prior to the opening of the Convention. All other resolutions having to do with the establishment or declaration of policy of the International Brotherhood shall be submitted to the International President, in duplicate, at least thirty (30) days prior to the opening of the Convention. All resolutions shall bear the seal of the subordinate body and be attested to by the President and Secretary-Treasurer thereof. The International President shall refer all resolutions to the appropriate Committees. Any resolution received subsequent to the above time limits shall be referred by the International President to the appropriate Committee, which may take such action on such resolution as it sees fit. Nothing in the foregoing shall operate to abridge the right of a delegate to propose an amendment to any pending matter before the Convention.

2.10 – Appointment of Committees and Their Duties

2.10.1 – Committees

The International President shall appoint the following Committees, to consist of not less than five (5) members each: Committee on Constitution and Law, Committee on Resolutions, Committee on Credentials, Committee on Rules, Committee on Officers Report, Committee on Official Publication, Committee on Finance, and other Committees on Convention business.

2.10.2 – Pre-Convention Committees

Prior to the convening of a Convention, the International President shall appoint the Committee on Constitution and Law, the Committee on Credentials, and the Committee on Resolutions, to be chosen from the different sections under the jurisdiction of the International Brotherhood from among the delegates elected to the Convention. These Committees shall meet upon the call of the International President prior to the convening of the Convention and shall be ready to report to the Convention, in written form, on all matters under their respective jurisdiction, as soon as the Convention is organized.

2.10.3 – Per Diem Allowance

Members of any Committee serving before or after the Convention may for such period receive daily allowances in equal amounts as determined by the International President.
2.11 – Committee Functions

2.11.1 – Constitution and Law

The Committee on Constitution and Law shall take charge of and consider all resolutions and reports which propose to change, alter, or revise the International Brotherhood Constitution. The Committee shall report to the Convention such proposed amendments or resolutions referred to it with recommendations, together with such other amendments as it may deem proper.

2.11.2 – Resolutions

The Committee on Resolutions shall take charge of and consider all resolutions, other than law and constitutional changes, referred to it and report the same to the Convention, with recommendations.

2.11.3 – Credentials

The Committee on Credentials shall examine and report upon the credentials of all delegates to the Convention.

2.11.4 – Rules

The Committee on Rules shall, with this Constitution and Robert’s Rules of Order as its guide, recommend to the Convention such rules for the government of the Convention while in session as it may deem just and proper.

2.11.5 – Officers Report

The Committee on Officers Report shall examine the International Officers Report to the Convention and make such recommendations to the Convention as in its judgment may be to the best interest of the International Brotherhood.

2.11.6 – Official Publication

The Committee on Official Publication shall make such recommendations to the Convention regarding the official publication as in its judgment may be to the best interest of the International Brotherhood.

2.11.7 – Finance

The Committee on Finance shall after examination, and if found correct, approve the expenses and allowances of the Convention delegates entitled to receive same.

2.12 – Tenure of Convention Committees

The duties of the foregoing Committees shall expire with the completion of their reports, except for the Constitution and Law Committee, the completion of whose business shall be left for the Convention to determine.
2.13 – Order of Business of the International Brotherhood Convention

1. First – Calling of the Convention to order by the International President.
3. Third – Appointment of Convention Committees.
6. Sixth – Presentation and distribution of resolutions and constitutional amendments.
7. Seventh – Report of Committees: (a) Resolutions; (b) Constitution and Law; (c) Official Publication; (d) Officers Report; (e) Finance; (f) other Committees on Convention business.
8. Eighth – Nominations and election of International Officers.
11. Eleventh – Closing.
12. The Convention, acting upon a report of the Rules Committee, may change the order of business.

ARTICLE 3

CONSTITUTION

3.1 – Constitution – Supreme Law

1. This Constitution constitutes the supreme law of the International Brotherhood and supersedes any provision in the By-Laws of any subordinate body which is inconsistent with it.

3.2 – How Amended

1. Amendments to this Constitution shall be by a majority vote of the accredited delegates present and voting their voting strength at any Convention of the International Brotherhood.

3.3 – Proposals to Amend

1. Proposals to amend this Constitution may be submitted by any subordinate body by resolution, as provided in Article 2.9. The International President, the Executive Council, or the Committee on Constitution and Law may submit proposals to amend the Constitution at any time up to, but not including the last day of the Convention.

3.4 – Effective Date

1. Any amendment adopted at a Convention shall become effective upon final adjournment of the Convention at which adopted, unless otherwise provided in the amendment.
3.5 – Corrections

The Executive Council shall have the authority, following Convention adoption of amendments to this Constitution, but prior to printing thereof, to make such corrections, typographical, grammatical, punctual or otherwise, including titling, the supplying or remedying of inadvertent omissions or errors, as are necessary to carry out the spirit and intent of any amendment so adopted.

ARTICLE 4

INTERNATIONAL OFFICERS

4.1 – Designated Officers

Except as otherwise provided in Article 5.2, the International Officers shall consist of an International President, International Secretary-Treasurer and seven (7) International Vice Presidents.

4.2 – Qualifications of Nominees

The officers of the International Brotherhood shall be nominated and elected only from among the International Officers and Delegates in attendance at the Convention. Candidates nominated must be present to accept the nomination unless prevented by official union duties, sickness, or some other unavoidable circumstances, provided that in the case of any such absence, the candidate desiring to be nominated shall notify the Convention presiding officer in writing that the candidate will accept if nominated.

4.3 – Territorial Sections

In order to promote the well-being of the International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers, and Helpers, and to better service the subordinate bodies, the territory under the jurisdiction of the International Brotherhood shall be divided into territorial sections, except as otherwise provided in Article 5.2, as follows:


Great Lakes Section: States of Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin.


Southeast Section: States of Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Oklahoma, South
Carolina, Tennessee, Texas, Puerto Rico, Isthmus of Panama, and the U.S. Virgin Islands.

Eastern Canadian Section: Thunder Bay East and all territory east.

Western Canadian Section: Thunder Bay West and all territory west.

One member from each of the foregoing sections, who maintains membership therein, shall be elected by the Convention as International Vice President from such section. The International President, International Secretary-Treasurer and International Vice President Industrial Sector may maintain membership in any area within the jurisdiction of the International Brotherhood.

4.4 – Nominations, Election, and Installation

4.4.1 – Nominations and Election

The International Officers shall be nominated and elected by the delegates assembled at the regular Convention. In the case of a contest in any International Office, the officer in question shall be elected by roll-call vote of the accredited delegates present and voting their voting strength as provided for in Article 2.2.1, the candidate receiving the highest vote to be elected.

4.4.2 – Installation of Officers

International Officers shall be installed and assume office on the last day of the Convention.

4.5 – Vacancies – How Filled

Except as otherwise provided in Article 5.2, the International President is empowered to fill by appointment all vacancies in International Office occasioned by death, resignation, or otherwise, when approved by majority vote of the Executive Council, until the next succeeding International Brotherhood Convention; in the event of a vacancy in the office of International President such vacancy shall be filled for the balance of the term by majority vote of the Executive Council.

4.6 – Retirement of International Officers

4.6.1 – Retirement Date

There shall be no automatic retirement date for International or Local Union Officers.

4.6.2 – Severance Pay

When an International Officer retires or dies while in office, the Officer or Officer’s beneficiaries shall be entitled to receive as severance pay the equivalent of three (3) months’ salary or one (1) week’s salary for each year of full-time service, whichever is greater, except that such amount shall not exceed the equivalent of six (6) months’ salary.
4.7 – Outside Employment of Union Officers

Any full-time salaried officer or appointed representative of the International Brotherhood or of a subordinate body who shall engage in any business outside of the regular duties of the International Brotherhood shall immediately upon engaging in such outside business resign or apply for leave of absence and vacate the office, provided that nothing herein shall be construed as to prohibit the holding of elective or appointed office in the AFL-CIO, CLC, or any department thereof, or in Building Trades Councils, Metal Trades Councils, Central Bodies, or State Federations chartered by the AFL-CIO with which subordinate bodies are affiliated or CLC, provided that the Executive Council may permit exceptions to the above.

ARTICLE 5

EXECUTIVE COUNCIL AND DUTIES

5.1 – Composition

The Executive Council shall be composed of the International President and the International Vice Presidents.

5.2 – General Duties of Executive Council

The Executive Council shall have governing authority over the International Brotherhood and its subordinate bodies when not in Convention session to the end of upholding the laws and policies of the Brotherhood as expressed in this Constitution; provided, however, that except to the extent necessary to accomplish such purposes the subordinate bodies of the Brotherhood shall have autonomy in the conduct of their affairs, including organizing activities, the negotiation and administration of collective bargaining agreements, and engaging in economic activity to that end where not done by the International Brotherhood itself; and provided further, that the International Brotherhood shall not be responsible for any actions, activities, or omissions of any of its subordinate bodies or their representatives unless the same were authorized or directed by the International Brotherhood. The Executive Council shall have the power to supervise all business and financial affairs of the International union and to authorize all expenditures deemed necessary to effectuate or accomplish the objectives of this International union, as set forth in Article 1.2 and other applicable provisions of the union’s Constitution, or for its benefit. With the exception of the International President, when an International Officer retires, or for any reason vacates the office during an elected term, the Executive Council, upon the recommendation of the International President, shall have the authority to: eliminate the vacated office; realign the territorial sections set forth in Article 4.3; and consolidate and/or redistribute the
duties of the vacated office to one or more of the remaining Officers. The Executive Council shall have authority, upon recommendation of the International President, to continue to maintain, modify, implement, and/or administer retirement, health care, and other benefit programs for the benefit of officers, staff, and employees of the International union, and their dependents. The Executive Council shall have the authority to consummate a merger or affiliation of another labor organization into the International union, including the authority to increase the number of International Vice Presidents-at-large where necessary to effectuate such merger or affiliation, and to continue current policies and/or modify from time to time the policy governing such expenditures by the International union, its officers, and staff. The Executive Council shall have the authority to continue the transportation policy replacing in whole or in part the automobile allowance set forth in Articles 7 and 8 or to change said allowance if the adoption of said policy or change is in the best interest of the International union, or, in lieu of any such allowance, to purchase and maintain automobiles for the use of designated officers and/or staff. The Executive Council shall have the authority, acting upon a recommendation of the International President, to adopt a relocation allowance policy which shall be applicable to officers and staff who are directed to relocate their home point and as a consequence incur significant economic expenditures or losses. The Executive Council shall be empowered to establish and/or charter subordinate bodies and to establish, and/or change the geographical location of such subordinate bodies and to establish, define, and change their geographic and trade or work jurisdiction. The Executive Council shall have the authority to determine whether or not a Local Lodge shall be affiliated or disaffiliated with a Council or District Lodge. The Executive Council shall have authority to establish rules and regulations to properly administer the provisions of this Constitution where they are not specifically spelled out herein and are not inconsistent therewith. It shall have the power to pass on any subject, proposition, or grievance, and hear and determine all cases of appeal from the decisions and rulings of the International President which are filed by registered or certified mail with the Executive Council within thirty (30) days of the date of such decision or ruling, except as provided in Articles 25.5 and 25.8, and of subordinate bodies, or involving any member or officer within the International Brotherhood, or any appointed representative. In all matters which are to be decided and acted upon by the Executive Council, a member or officer of the Brotherhood or a panel duly appointed by the International President may act in the matter with required report to the Executive Council for decision by the Executive Council. All decisions of the Executive Council shall be final, except as provided in Article 17.6.3.
5.2.1 – Authority to Require
Direct Submission of Dues Check-Off

For any Local Lodge that has established a history of chronically late submission of required reports and/or audits, the Executive Council shall have the authority to require that Local Lodge to direct the employer in writing that monthly dues check-off shall be submitted directly to the International Secretary-Treasurer’s office. In the event the employer refuses to comply with the Local Lodge’s written directive, the Local Lodge shall, immediately upon receipt of the employer’s dues check-off, endorse the employer’s dues check-off check over to the International Secretary-Treasurer and forward same with all supporting documents to the International Secretary-Treasurer’s office by certified mail. The International Secretary-Treasurer’s office shall remit to the Local Lodge that portion of the monthly dues receipts that are normally retained by the Local Lodge.

5.2.2 – Authority to Require
Reimbursement of Audit Expenses

The Executive Council shall have the authority to require the Local Lodge to reimburse the International union for any and all actual expenses incurred by International staff and/or auditors in order to bring the Local Lodge into compliance with its reporting and recordkeeping duties and requirements.

5.3 – Jurisdiction of District and Local Lodges

The Executive Council shall have authority to designate District and Local Lodge trade or work jurisdiction and their geographical jurisdiction. Such designation shall be set forth in each charter upon its issuance. Such jurisdiction shall continue unless and until the International President should determine to enlarge or restrict such jurisdiction as, in his judgment, the interests of the International Brotherhood require. Any decision of the International President to enlarge or restrict the jurisdiction of a subordinate body is subject to review by the Executive Council upon appeal.

5.4 – Consolidation of District and Local Lodges and Offices Thereto

5.4.1 – Consolidation of Lodges

The International President shall have authority to consolidate two and/or more District or Local Lodges in any area if, in his judgment, the interests of the International Brotherhood and of the members involved so require. In directing a consolidation it shall be the duty of the International President to safeguard and protect the membership rights
of persons affected by or involved in any consolidation and to safe-
guard and protect the properties, funds, and assets of the District
and/or Local Lodges which are being consolidated so that such prop-
ties, funds, and assets become the property of the consolidated Lodge,
less the costs incurred by the International in effectuating such consoli-
dation. Any decision by the International President pursuant to this
 provision is subject to review by the Executive Council upon appeal.

5.4.2 – Consolidation of Offices

In any case where two or more District or Local Lodges are to be con-
solidated pursuant to this section, the Executive Council shall have au-
thority to consolidate the offices of such Lodges provided that the in-
volved Lodges have been unable or are unwilling to agree upon a con-
solidation of offices satisfactory to the Executive Council.

The Executive Council shall also have authority to consolidate of-
ices within a District or Local Lodge if, in the judgment of the Execu-
tive Council, the interests of the International Brotherhood and of the
Lodge so require. All officers of District and Local Lodges shall take of-

5.5 – Issuance of Local Lodge Charters

The International President will have authority to issue Local Lodge
charters.

5.6 – Minimum Requirements for Maintaining
Local Lodge Charters

Upon issuance of such charter, such Local Lodge shall, subject to
other applicable provisions of this Constitution and particularly Arti-
cles 5.3 and 5.4, continue in existence while thirty-five (35) or more of
its members are employed under the jurisdiction of the International
Brotherhood, subject to the approval of the Executive Council. If thirty-
five (35) or more members maintain membership in such Local Lodge
and otherwise comply with the provisions of this Constitution, all
books, records, properties, funds, and assets (including trusts, trust
funds, or other trust properties held, operated, or controlled by such
Local Lodge) owned or held by such Local Lodge shall remain the
property of such Local Lodge so long as the charter is maintained.

Any Local Lodge having less than thirty-five (35) active members
(unless otherwise approved by the Executive Council) shall be auto-
matically disbanded and its charter returned to the International Broth-
erhood, together with all books, records, properties, funds, and assets
(including trusts, trust funds, or other trust properties held, operated,
or controlled by such Local Lodge) owned or held by such Local Lodge
at the time of such disbanding, which shall become the property of the
International Brotherhood.
5.7 – Grievance Adjustment Procedures

All grievances or disputes involving matters which are not the proper subject of disciplinary proceedings, including grievances or disputes within a Local Lodge, or between Local Lodges, or between a District Lodge and a Local Lodge, if not settled within thirty (30) days of the original occurrence of the grievance or dispute, within the next fifteen (15) days may be submitted for adjustment to the International President, or the International President’s designee, who shall investigate and resolve the matter, subject to appeal within thirty (30) days, by registered or certified mail to the Executive Council whose decision shall be final.

5.8 – Meetings of Executive Council

The Executive Council shall meet on call of the International President as conditions warrant, but shall meet at least semi-annually, and shall meet immediately preceding and following each Convention. Its decisions shall be governed by majority vote. A majority of the Council shall constitute a quorum. When not in formal session, the Executive Council may act on any matter by letter, telephone, facsimile, e-mail, or any other means as determined appropriate by the International President. All action not taken at a formal Council session shall be confirmed in the form of a signed Council document.

ARTICLE 6
INTERNATIONAL BOARD OF TRUSTEES AND DUTIES

6.1 – Qualifications and Selection

Subject to the control and supervision of the Executive Council, there shall be an International Board of Trustees, hereinafter called the “Board of Trustees,” consisting of the International President, International Secretary-Treasurer, and a third member who shall be an elected International Officer, who shall be selected by the other two members, subject to confirmation by the Executive Council.

6.2 – Authority to Hold Title

The individual members and their successors, as from time to time designated and constituting the Board of Trustees, shall have authority to hold in their names or in the name of their nominee, the legal title to all real and personal property owned, possessed, and belonging to this International Brotherhood, in trust nevertheless, for the use and benefit of the International Brotherhood and the members thereof. No member of the Board of Trustees or any successor, as such, nor anyone claiming by, through, or under such individual, shall have or be vested with any personal right, title, or interest in or to any of such property.
6.3 – Management and Control of Funds

The Board of Trustees shall have power to manage, control, and operate the property and invest the funds of this International Brotherhood. All investments shall be of the type as shall conform to the standards for investments made by fiduciaries under the laws of the State of Kansas or the District of Columbia, except that the Executive Council may authorize the Board of Trustees to invest in other properly secured investments up to sixty percent (60%) of the value of such investments.

6.4 – Authority to Purchase and Sell Property

The Board of Trustees shall also have power, when expressly authorized by the Executive Council, to purchase, acquire, encumber, sell, lease, trade or exchange, improve or repair any real or personal property, and to execute contracts, assignments, deeds, conveyances, mortgages, liens, and other instruments of writing, concerning any or all of such property for and on behalf of this International Brotherhood, wherever the same may be situated.

6.5 – Majority Action Required

All powers conferred on the Board of Trustees by this Article shall be exercised by a majority action of the members thereof; provided, however, that any deed, mortgage, or other instrument conveying title to or any interest in real or personal property of this International Brotherhood, or any written lease covering any portion of such property, shall be executed by at least two (2) members of the Board of Trustees.

6.6 – Term of Office and Filling Vacancies

Each member of the Board of Trustees shall continue in office until a successor has been duly selected and qualified. In case of the death, resignation, or removal of any of the members of the Board of Trustees, the Executive Council shall thereupon declare a vacancy and promptly arrange for the selection and confirmation of a successor, as herein provided.

6.7 – Termination of Responsibility

Upon the death, resignation, or removal of any one or more of the members of the Board of Trustees, the legal title to all real and personal property of this International Brotherhood, wherever the same may be situated, then vesting in such former member or members, shall immediately pass to and be vested in the surviving member or members of the Board of Trustees and the successor or successors so designated; and in any such event, no further written instrument, deed, conveyance, disclaimer, or other acquittance shall be required to complete the transfer and vest the full legal title to all of such property in the surviving and successor members of the Board of Trustees.
ARTICLE 7
DUTIES OF THE INTERNATIONAL PRESIDENT

7.1 – General Duties

7.1.1 – Principal Executive and Administrative Officer

The International President shall be the principal executive and administrative officer of the International Brotherhood and shall enforce all its laws according to its Constitution and policies set down by its Conventions and the Executive Council. The International President shall have direction and supervision of all subordinate bodies in connection therewith and shall exercise day to day supervision over the affairs of the International Brotherhood, all to the end of obtaining compliance with the laws and policies of the International Brotherhood as set forth in this Constitution; provided, however, that except to the extent necessary to accomplish such purposes, the subordinate bodies of the Brotherhood shall have autonomy in the conduct of their affairs, including organizing activities and the negotiation and administration of collective bargaining agreements where not done by the International Brotherhood itself or where the International Brotherhood is not a party to said collective bargaining agreement and engaging in economic activity to that end; and provided, further, that the International Brotherhood shall not be responsible for any actions, activities, or omissions of any of its subordinate bodies or their representatives unless the same were authorized or directed by the International Brotherhood. The International President shall be authorized to appoint officers pro tem of the International Brotherhood and of its District and Local Lodges and all committees not otherwise provided for. The International President shall countersign all orders for payment of money, and shall have authority to make such expenditures from the funds of the International Brotherhood as are necessary for the protection of its interests and the achievement of its objectives as approved by the Executive Council. The International President shall be empowered to designate any member of the International Brotherhood to perform any of the duties of the International President’s office.

7.1.2 – Appointment of Delegates to Special Conventions

The International President and International Secretary-Treasurer by virtue of their office shall be delegates to all conventions of the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO). Other allowed delegates to said conventions shall be appointed by the International President as follows: the International Vice President from the Vice Presidential section in which the convention is held; and a representative of each of the three Divisions of the International Brother-
36 hood as provided in Article 19.1: Shipbuilding and Marine, Construction, and Industrial Plants and Shops. For conventions of any other organization with which the International Brotherhood may be affiliated, appointment of delegates shall be at the International President’s discretion.

The International President shall have power to authorize allowances and expenses for such delegates and in addition shall have power to authorize any of such delegates to attend departmental conventions of the AFL-CIO or to authorize other members of the International Brotherhood to act as representatives of the Brotherhood at such conventions and meetings of labor organizations or labor federations as the International President deems necessary for the interests of the Brotherhood. The International President shall similarly be empowered to authorize allowances and expenses for such persons.

7.2 – Constitutional Interpretations

The International President shall hear and decide all questions involving interpretation or application of this Constitution or of subordinate body By-Laws, and all decisions shall be binding unless reversed or modified by the Executive Council upon proper appeal.

7.3 – Salary and Expenses

Effective August 1, 2011, the International President shall receive a salary of Six Thousand Five Hundred-Thirty-Eight Dollars and Forty-Six Cents ($6,538.46) per week, plus allowances and expenses.

7.4 – International Representatives

The International President shall be empowered to appoint International Representatives whose salary shall not exceed fifty-five percent (55%) of the International President’s salary, per month, payable semi-monthly. They shall each, in addition to the salary approved by the International President, receive for allowances and expenses as follows: lowest-available coach class plane fare that can be obtained, railroad fare and Pullman fare (when necessary), or if travel is by automobile, the maximum amount allowable by the Internal Revenue Service; hotel, food, and maintenance allowance and expenses in the amount of single hotel room plus Seventy-Five Dollars ($75.00) effective August 1, 2006, and actual expenses for cab fare, postage, and other necessary expenses when itemized in expense account; provided, however, that the Executive Council shall have authority to amend the allowances and expenses as set forth herein and/or to replace same with alternative expenses and allowances.

7.5 – Direction of Organizational Work and International Representatives

The International President shall direct all organizational work; may assign International Vice Presidents and International Representatives
to any section under the jurisdiction of the International Brotherhood; shall be empowered to make adjustments in policy affecting remuneration to remedy problems that create inequities and transact any business the International President may assign to them; and shall be authorized to employ such assistance for the operation of the International President’s office as the International President deems necessary.

7.6 – Employment of Official Auditor

The International President shall employ, subject to the approval of the Executive Council, a certified public accountant to examine the books and records of the International Brotherhood at the headquarters office and to make an audit which the auditor shall submit together with a report of the auditor’s findings to the Executive Council annually, or as otherwise directed by the International President and the Executive Council.

7.7 – Presiding Officer and Convention Report

It shall be the duty of the International President to preside at all Conventions, and submit to each regular Convention a report of the activities of the International Brotherhood between Conventions.

7.8 – Financial Assistance

The International President shall have authority to grant financial assistance to subordinate bodies when in the International President’s judgment the best interests of the International Brotherhood so require and where the conditions of Article 28.2.3 have been met.

ARTICLE 8

DUTIES OF INTERNATIONAL VICE PRESIDENTS

8.1 – General Duties

It shall be the duty of the International Vice Presidents to supervise the operation of subordinate bodies, including servicing of such bodies and assisting in their organizing efforts, all under the direction of the International President. When assigned by the International President, they shall perform such other duties in such other localities or sections as instructed. The International Vice Presidents shall transact such other business as they deem advisable where they believe it to be for the best interest of the International Brotherhood or when instructed to do so by the International President. They shall keep the International President informed on the general conditions in their respective sections. When the International President, or International Secretary-Treasurer, or the International Vice President of the section has cause to believe that the financial affairs of a subordinate body are not being properly handled, the International Vice President or a duly-designated representative,
shall have the power to enter any subordinate body and conduct an ex-
amination or audit of the books and accounts of such subordinate body
and, if necessary, to take whatever steps are required to correct the situa-
tion, subject to the approval of the International President.

8.2 – Salary and Expenses

The International Vice Presidents shall receive a salary equivalent to
ninety percent (90%) of the International President’s constitutionally-
established salary, payable weekly, plus allowances and expenses; pro-
vided, however, that the Executive Council shall have the authority to
amend and/or to replace such allowances and expenses with alterna-
tive allowances and expenses.

ARTICLE 9
DUTIES OF THE INTERNATIONAL
SECRETARY-TREASURER

9.1 – General Duties

The International Secretary-Treasurer shall be responsible for keep-
ing a true record of all proceedings of International Conventions and
Executive Council meetings; shall have custody of all the property of
the International Brotherhood and shall receive all income; shall pay all
warrants drawn on the treasury when properly countersigned by the
International President; shall submit all bills to the International Pr esi-
dent for approval, except for those of a routine, fixed, or recurring na-
ture, such as for service and supplies; shall purchase, when authorized,
all supplies necessary to conduct the business of the International
Brotherhood; shall be authorized to employ such assistance for the op-
eration of the International Secretary-Treasurer’s office as the Interna-
tional Secretary-Treasurer deems necessary; and shall, by virtue of of-
office, be a delegate to conventions of the American Federation of Labor
and Congress of Industrial Organizations (AFL-CIO).

9.2 – Supplies

The International Secretary-Treasurer shall receive all applications
for charters, and endorse and forward the same to the International
President, who shall issue necessary instructions. The International Sec-
retary-Treasurer shall have charge of all supplies and shall furnish the
same to all Lodges. The International Secretary-Treasurer shall forward
free of cost to each Lodge as many copies of this Constitution as each
Lodge shall have members, as shown by its last report, such copies to
be distributed by the Secretary-Treasurer or other officer of the Lodge to
all of the members thereof. Additional copies of this Constitution shall
be furnished at cost, except in the case of newly-initiated or reinstated
members.
9.3 – Keeping of Accounts

The International Secretary-Treasurer shall keep a systematic account of all transactions between the International Brotherhood and the subordinate bodies, so as to render a strict account of all receipts and supplies. The International Secretary-Treasurer shall issue to each subordinate body and to the Executive Council, after the close of the fiscal year (June 30th), an annual financial report as directed by the Executive Council. Said report shall show an itemized account of all receipts and disbursements, together with a statement of assets and liabilities of the International Brotherhood. The International Secretary-Treasurer shall furnish the International President a list of all Lodges that have not submitted proper monthly reports; shall maintain a complete roll and record of the membership; and shall make such changes from time to time as may be necessary through transfer, withdrawal, suspension, expulsion, or death of members to keep such roll current. The International Secretary-Treasurer shall, upon assuming office, furnish bond as required by law, which shall be taken out in some reliable guaranty company, the expense of the same to be borne by the International Brotherhood.

9.4 – Salary and Expenses

The International Secretary-Treasurer shall receive a salary equivalent to ninety percent (90%) of the International President’s constitutionally-established salary, payable weekly, plus allowances and expenses, and shall be under the supervision of the International President.

9.5 – Accounting Requirement

The International Secretary-Treasurer shall be authorized to establish and prescribe a uniform and modern bookkeeping system for use by subordinate bodies of the Brotherhood and with the approval of the International President shall be authorized to require subordinate bodies to adopt and use such system.

ARTICLE 10

OFFICIAL PUBLICATION

The International Brotherhood shall publish and maintain an official publication to be distributed to all members. The editorial policy and management of the publication shall be under the direction of the International President. The International President is authorized to make such expenditures in connection with the publication, operation, and distribution of the official publication as the International President deems necessary, subject to the approval of the Executive Council.
ARTICLE 11

ESTABLISHED JURISDICTION OF THE TRADE

It is hereby established and shall be so upheld by the International Brotherhood that its members have jurisdiction over the following work, subject of course, to joint agreements with other International unions which may modify certain claims herein:

11.1. All boilers, parts and related equipment, drums, water tubes, fire tubes, combustion tubes, and arch tubes; thermic syphons, smoke boxes, and stacks; front-ends and doors, draft plates, baffles and diaphragms, spark arresters, including wire netting and frames, ash pans, flash pans, fire doors and fire door frames, including operating mechanisms, stokers, grates, and rigging; oil, gas, nuclear, and pulverized coal burners; steel cabs and tank houses, metal running boards and steps, metal pilots, including manufacturing, application, removal, and repair; cylinder and dome casings, brackets for air pumps, air pumps, head lights, dynamos, oil heaters, and classification lights; wind sheets, deck plates, deck aprons, shovel sheets, splash plates, expansion plates, and lateral braces; locomotive tender tanks, tender tank frames and tender tank truck frames, grab irons, hand rails, and metal ladders; building, repairing, and applying snow plows, derricks for wreckers, power shovels and pile drivers, building oil and gravel spreaders; body frames on electric or diesel locomotives, body underframes and all body, cab, and housing work, gear casings and wheel covers, battery boxes, ventilator covers, and grid panels; motor housing, name, and classification plates; oil tanks, tanks of tank cars, including brackets, hand rails, ladders, and metal jackets when used on same; all laying-out, cutting, bending, flanging, fitting up, patching, bolting, riveting, chipping, caulkimg, drilling, reaming, tapping, and beveling machines, including fitting of washout plugs; testing and inspecting all vapor, steam, water, air, gas, oil, or other tight joints, including all stays, braces, and water tight studs; acetylene cutting, welding, and heating; electric arc welding; metalizing; all I-beams, channel iron, angle iron, T-iron, Z-iron, and other structural forms used on work of our trade; tool keeping, boiler washing, flue blowing, boring, or washing. Thickness of plate for our trade on railroads covers 16 gauge or heavier.

11.2. The operation of any machine, or the use of any method or device employed in manufacturing, fabricating, laying out, aligning, drilling, punching, shearing, beveling and grinding, fitting, bolting, riveting, chipping, caulking, acetylene cutting, burning or heating, welding (all processes), bonding, metalizing, mamutizing and application of apexior coating, construction, erecting, assembling, installation, remodeling, repairing, wrecking, alteration, testing, inspecting, maintaining,
11.3. The manufacturing, fabrication, laying out, construction, erection, assembling, installation, altering, remodeling, repairing, wrecking, testing, inspection, and maintenance of all iron and steel ships (naval or commercial); marine vessels, tankers, barges, dredges, pontoons, boats, and composite marine vessels; light buoys; floating dry docks, including the following work: shearing, beveling and grinding, cutting, chipping, punching, riveting, caulking, drilling, bolting, tapping, reaming, rolling, forming, fairing, aligning, erecting, raising, handling, and rigging; rigging loft; acetylene and other cutting; burning and heating; welding, all processes; oil, water, or other tight shiptanks, bins, vats, and hoppers; mold doors, ventilators, foundations, pillars, stanchions, inboard and outboard fittings, hawse pipes, bits, chocks, plugs, pads, ring bolts, railings, ladders, grating, doublers, stiffening rings, fire-engine room, and portable floors and platforms; all fittings, boiler mak-

rigging, unloading and handling of all boilers and appurtenances, headers, parts, frames, supports; air and water walls; casings, assembled or completed sections or parts; drums, tubes and flues; baffles and draft appliances; economizers, super heaters, circulators, atomizers, downcomers, sludge boxes and sluice troughs, stokers; grates, heat units; buck stays; fronts and doors; stacks, breechings, and uptakes; soot collectors and blowers, smoke boxes, smoke consumers, cinder collectors, precipitators, furnaces and furnace bottoms, steam generators, including nuclear; heaters; steam accumulators, condensers, evaporators, air heaters and pre-heaters, hot and cold air ducts, and fans; oil and gas burners, coal tanks, ash tanks, waste disposal tanks, other tanks and vats, conveyors, scrapers, all air, oil, gas, steam, vapor, water, and other tight joints; stand pipes, water towers, metal pipe and pipe lines, metal well casings, incinerators, air washers, cooking devices, creosoting cylinders, gas purifying equipment, gas holders, gasometers, including frames; coal washers; all work in and around rolling mills, mines, smelters, refineries, chemical processing, rubber, feed material, and fuel element plants; blast and open hearth furnaces; aluminum, annealing, electrical, gas fired, heat treat, isoflow, reheat, stoker fired, and all other type furnaces; hot stoves, cupolas, dump cars, roasters, converters, digesters, calciners, kilns, skips and skip dumpers, skip trucks, steel chutes, and liners; ore, water and toilet cars, chutes, steel bulkhead, and doors; water, flood, and measuring gates; locks, dams, caissons, spillways, penstocks, sluice and tube work, flume work, water wheels, generator frames, turbine casings, and blades; recovery units, deaerators, cracking units, bubble towers, wind tunnels; all sheet iron or steel, stainless steel, aluminum, silver, all other pure metals, alloys and plates, including clad or bonded plates of sixteen (16) gauge or heavier, in shops or field construction work, except where agreements exist with other international unions.
ing, mold lofting, anglesmithing, shipfitting, scaffold building (steel, including pre-fitted planks), frame bending (hot or cold), iron hanging and erecting, keel laying, main and auxiliary docking keel, stem and stern posts, struts, framing beams; docks, superstructure, bridges, fighting tops, and enclosures; gun ports, hatches, man holes, scuppers, ammunition hoists and boxes, cartridge boxes, ducts, trunks, cowels, service lockers, turrets, crisp pans, water sheds, metal reels, boat stowage, warping, food and deck gear, davits, searchlight platforms; metal fittings in connection with ground tackle; leadsman platforms, skylights; stacks, breeching, uptakes and connections funnels, decks, landing decks on airplane carriers, including airplane and other elevators; docking and undocking of all types of ships and vessels.

11.4. All nuclear reactors, both homogenous and heterogeneous, all components and reactor systems as applied to all branches of our trade, including but not limited to core elements, cover control rods, safety rods, core tanks, thermal and biological shields, core tank containment, reflectors, breeding material, controls and instrumentation, plugs, pressure and containment vessels, loading devices, transfer equipment, coffins, pressurizers, heat transfer equipment (primary and secondary), coolant containers, air ducts, fans, stacks, cold and hot traps, ion chambers, dump tanks, caves and hot cells, fuel element, storage racks, decay tanks, sampling devices, rabbit holds and thimbles, seals, and environmental shielding.

11.5. The operation of any machine or device, or the use of any method or process employed in the manufacture, fabrication, construction, installation, alteration, repairs, etc., on work coming under the jurisdiction of this International Brotherhood shall be operated and performed by mechanics of our trade, for example: power and rolls; bending machines, hot or cold; flanging machines; hydraulic presses, hot or cold; punches, shears, plate planes, power and friction saws, bolt cutters and threaders, tube welding and swedging machines; bull, jam, and yoke riveters; portable air and electric motors; heating, annealing, and heat treating furnaces and devices; welding and pantograph cutting machines, including demonstrators, thermal overlay, bottle spark, and man way watch pertaining thereto; quality control; fiber spinning; all technical work (technicians and mechanics).

11.6. All blacksmith work in railroad shops, shipyards, navy yards, arsenal and naval stations, automobile shops, carriage and wagon shops, motorcycle shops, contract shops, frog and crossing shops, drop forge shops, forge shops, spring shops, chain shops; nut, bolt, and rivet shops; acetylene, electric, heliarc, and thermit welding shops; and all boilermaker and blacksmith work in all other shops where such work is done.
11.7. All forging, all welding, whether by acetylene, electric, thermit or any other process; all flue and tube welding; straightening of iron and steel, both hot or cold; all blacksmiths' work on structural shaped steel; all forging, tempering, and dressing of tools, including sharp edge tools and instruments; bending and straightening of angle iron, channel iron, T-iron, and I-beam, whether done hot or cold, from furnaces or fires; operating forging and upsetting machines, drop forging and trimmers, both hot or cold; axle forgers, bolt machines, bulldozer and machine work, or any machine doing blacksmith work; all work performed on Bradley hammer; punch and shear machines, when connected with the blacksmith department, hot or cold; hand, steam, or air press machines, all frames on engines, cars, tanks, and trucks, all welding of rails, building up switch points and frogs, and all track work; all dredge dipper and steam shovel work; hardeners, case hardeners, annealers, and heat treaters, and the reclaiming of scrap.

11.8. Automobile and wagon and carriage shops; putting on, taking off and fitting auto fenders; putting on running board brackets; building and rebuilding fire trucks; making and repairing all springs, putting on and taking off all springs, making all springs and spring fitting, setting and riveting when done in conjunction with blacksmith work; grinding pertaining to blacksmith work; benders, resetters, bath men, forgers, and finishers.

11.9. Putting on and taking off rubber tires, putting flanges on wheels, putting on and repairing bumpers, putting on and taking off wheels, putting on and riveting fiber on brake bands, putting on and taking off radius rods, putting on pyrene brackets, repairing and setting all axles, straightening and repairing of auto frames, putting on brackets for radiators, fitting up windshields, putting handles on doors, fitting hand rails on backs of auto, fitting up gongs. All drilling and filing, lining up wheels, adjusting brake rods, tip welding and tiresetting, making and putting on license brackets, headlight brackets, making and putting on body iron.

11.10. All blacksmiths, tool and die makers' helpers, furnace operators, heaters, hammersmiths, heavy forgers, hammerdrivers, drop forgers, trimmers; bolt making, shell forging, machine bolt making; operating bulldozers used for forging, shaping, and forming of metal; hot or cold angle iron smithing; flue, acetylene, electric, thermic, tube welding; chain making, tool dressing, granite tool sharpening, ornamental and structural iron smithing; punch, shear, and roll operating; automobile and vehicle smithing and finishing; spring making, mine smithing, glass house smithing, rock drill sharpening, tempering, case hardening, bi-chloride tempering, annealing, and heat treating; air and hydraulic
presses, hot or cold, in connection with blacksmiths’ work; lever and
crane operating, stockmen; carriage and wagon smithing and finish-
ing; machine forging, aeroplane smithing, surgical instruments and
sharp edge tool making, dock smithing, inside iron and grill work, hot
or cold press and stamping machines, construction smithing, safemak-
ing equipment, and hot wire drawing.

11.11. All the foregoing and, in addition thereto, any other work
which now or in the future may, as industries develop, fall naturally
within the scope of the jurisdiction of the International Brotherhood of
Boilermakers, Iron Ship Builders, Blacksmiths, Forgers, and Helpers,
shall constitute work coming under its jurisdiction, and shall be per-
formed by members of the aforesaid organization.

11.12. There shall be no change in the established practice in the rail-
road industry with respect to the handling of jurisdictional disputes be-
tween the Boilermaker and the Blacksmith crafts. The existing machin-
ery in effect will be used.

11.13. Where other materials are used as a substitute for metal, or
where equipment is developed of materials other than metal of the type
covered by the foregoing paragraphs, such material or equipment is
equally covered under this Article.

ARTICLE 12

REVENUE

12.1 – Sources

The revenue of the International Brotherhood shall be derived from
the following sources: (a) a Per Capita Tax as provided by this Constitu-
tion payable monthly on dues receipts of all members of all subordinate
bodies of the Brotherhood and on any receipts from agency shop, Rand
Formula, or other similar arrangements; (b) initiation and reinstate-
ment fees; (c) fees and charges as prescribed by this Constitution; (d)
supplies for which charges are levied to subordinate bodies; (e) invest-
ments; and (f) such other sources as may be determined by the Execu-
tive Council, consistent with this Constitution.

12.2 – Taxes and Fees

12.2.1 – Schedule of Taxes and Fees

Effective October 1, 2011, the amounts of the above taxes, fees, and
charges, which are payable to the International Brotherhood, shall be as
follows:
Initiation and Reinstatement Fees

$25 - $1,000  20% of the fees collected, but not less than one month’s Per Capita Tax, shall be remitted to the International Secretary-Treasurer

Withdrawal Card (One Month’s Per Capita Tax) .................. $ 23.15
Renewal of Withdrawal Card. ................................. $ 10.00
Deposit of Withdrawal Card (One Month’s Per Capita Tax) .... $ 23.15
One Month’s Per Capita Tax. ..................................... $ 23.15

12.2.2 – Annual Adjustment

Every January 1, the monthly Per Capita Tax set forth in Article 12.2.1 above shall be adjusted by the percentage increase in average hourly earnings in manufacturing as issued by the Bureau of Labor Statistics for the twelve (12) month period, July to July, immediately preceding an adjustment date, “rounded” to the nearest Five Cents ($0.05) with the maximum adjustment on any adjustment date to be One Dollar ($1.00).

However, if the Bureau of Labor Statistics changes the manner in which it collects data and/or evaluates the average hourly earnings in manufacturing such as to create an anomaly in the adjustment, the adjustment for the proceeding year shall be the average of the last three (3) years. Such action shall remain controlling until the next regular Convention.

12.2.3 – Contingency Increase

Effective January 1, 2007 through June 30, 2007, and then in each fiscal year thereafter (July 1 through June 30) in which the total number of active members at fiscal year-end is less than the previous fiscal year-end total, the Per Capita Tax shall increase by an amount proportionate to the number of members lost, rounded to the nearest five cents ($0.05). Such increase shall be in addition to any other adjustments to the Per Capita Tax required under this Constitution. There shall be at least ninety (90) days notice given to the Local Lodges before the effective date of the increase. The effective date of this contingency increase shall be January 1st of the calendar year following the fiscal year in which the decrease in membership occurs. If in any subsequent fiscal year membership increases, the Per Capita Tax shall be decreased by an amount proportionate to the number of members gained, but in no event shall this decrease exceed the amount of the accumulated increase.

12.3 – Payments to International Secretary-Treasurer

It shall be the duty of the International Secretary-Treasurer to collect from each subordinate body the above taxes, fees, and charges, and it shall be the duty of the subordinate bodies to make such payments to the International Secretary-Treasurer immediately upon their receipt of
the tax, fee, or charge amount set forth in Article 12.2, with the next monthly financial report.

ARTICLE 13
BONDING

13.1 – Requirement

All officers, representatives, and employees of the International Brotherhood or of any subordinate body thereof who are required to be bonded by law and/or this Constitution shall be bonded through the International Brotherhood and the cost thereof shall be borne by the respective body involved of which the person being bonded is an officer, representative, or employee. Any person elected to office and unable to qualify for proper bonding shall be automatically disqualified and the office vacated.

13.2 – Amount of Bond

The amount of bond for each person bonded shall be in the proper legal amounts as required by law and/or the Executive Council.

13.3 – Release from Bond

No officer, representative, or employee shall be released from such bond until a proper audit of the accounts of said officer, representative, or employee has been made and accepted by the appropriate body and the International Brotherhood.

ARTICLE 14
DISTRIBUTION OF REVENUE

14.1 – Distribution

All revenue provided for in Articles 12.2.1, 12.2.2, and 12.2.3 received by the International Brotherhood shall be deposited in the General Fund. The General Fund may be used for the payment of all debts and obligations of the International Brotherhood, or for any other legitimate purpose prescribed in this Constitution, including, but not limited to, the payment of Death Benefits as set forth in Article 15, Convention expenses, publication expenses, strike and lockout benefits, and for the payment of legal fees and other expenses incurred in the defense of the International Brotherhood.

ARTICLE 15
DEATH BENEFIT

15.1 – Coverage

15.1.1. Effective upon adoption of this Constitution, the New Death Benefit coverage provided under Article 15, as adopted by the 23rd
3 Consolidated Convention, August 18-22, 1969, shall be revised as pro-
4 vided herein.
5 15.1.2. Effective August 1, 1970, the International Brotherhood shall
6 provide a Death Benefit of One Thousand Dollars ($1,000.00) for eligi-
7 ble members who had twenty-five (25) years or more of continuous
8 participating membership in the International Brotherhood as of Au-
9 gust 1, 1970, regardless of age and on a closed group basis.

15.2 – Method of Funding Payments

All Death Benefits payable pursuant to the terms of Article 15 shall
be paid from the General Fund.

15.3 – Definitions

The following definitions shall apply to the terms used in this Arti-

cle:

15.3.1. The term “eligible member” shall mean a member of the In-
4 ternational Brotherhood, regardless of age, who has twenty-five (25)
5 years or more of continuous participating membership in this Interna-
6 tional Brotherhood as of August 1, 1970.

15.3.2. The term “continuous participating membership” shall mean
8 the uninterrupted period during which Death Benefit contributions
9 have been continuously paid from the date of initiation, or last rein-
10 statement, or deposit of a Withdrawal Card or a Severance Card, to the
11 date of eligibility, August 1, 1970.

15.4 – Notice of Death

Notice of death shall be given to the International Secretary-Treasurer at
the headquarters office of the International Brotherhood within thirty (30)
3 days after death unless notice within such time shall be prevented by un-
4 avoidable circumstances. Upon receipt of notice, the International Secre-
5 tary-Treasurer shall mail to the person or persons entitled to make claims, a
6 form for the purpose of furnishing proof of death. The completed form
7 along with a certified death certificate shall be submitted to the Interna-
8 tional Secretary-Treasurer at the headquarters office within thirty (30) days
9 after the receipt of such form. Failure to comply with the requirements of
10 this section shall relieve the International Brotherhood from any liability to
11 a member or a member’s beneficiaries on account of death.

15.5 – Beneficiaries

An eligible member shall initially designate one or more beneficiar-
ies on a form to be furnished by the International Secretary-Treasurer
and a change of beneficiaries may thereafter be effected by filing a writ-
4 ten request with the International Secretary-Treasurer on such form.
Any such change in beneficiaries shall become effective upon receipt of
such written request by the International Secretary-Treasurer.
15.6 – Funeral and Burial Expense

The International Secretary-Treasurer shall, in any event, have the authority to pay funeral and burial expenses incurred on behalf of an eligible member to the extent of the sum of Five Hundred Dollars ($500.00) and to deduct such payment from the amount of the Death Benefit payable under this Article.

ARTICLE 16

STRIKES AND STRIKE BENEFITS

16.1 – Strike Vote

It shall be the duty of any subordinate body of the International Brotherhood, which is contemplating engaging in a strike, to conduct a strike vote prior to the calling of any such strike. The vote on the issue of whether to call a strike or to vote on a proposal from management, shall be taken by secret ballot on ballot forms to be furnished by the International Secretary-Treasurer, at a regular or special meeting of the subordinate body involved, provided that if approved or directed by the International President such secret ballot may be taken by other appropriate means or manner. Regardless of whether a vote is taken at a regular or special meeting, the affected membership of the subordinate body shall be given adequate notice that a strike vote, or a vote on a proposal from employers on settlement, will be taken, such notice to be given in a manner reasonably calculated to reach such membership. Only those members who are actually employed, or those members of Industrial, Ship Building, or Marine Lodges who have been involuntarily unemployed less than fourteen (14) calendar days, or those members who are on the current out-of-work list of Construction Lodges available for and seeking work at the time a vote is taken, shall be entitled to vote on a strike or a proposal for settlement. Any member who voluntarily has not worked or sought work under the jurisdiction of the International Brotherhood or the member’s Local Lodge for the sixty (60) day period preceding a strike or proposal for settlement vote, shall be prohibited from participating in said vote. Before the vote is taken, the membership shall be advised of the issues involved. It shall require a two-thirds vote of such members who are present and voting to obtain an authorization for a strike. Authorization to strike shall be subject to the approval of the International President. No strike shall be called which is in violation of an existing collective bargaining agreement or which is otherwise in violation of law. Members who fail to fully participate in the strike efforts by leaving the area of the strike or securing work elsewhere shall not be entitled to vote on any strike issue. Any deviation from this section must have the prior approval of the International President.
16.2 – Strike Benefits

The General Fund of the International Brotherhood shall be available for paying strike, lockout, or victimization benefits. Such benefits shall consist of a sum not to exceed One Hundred Fifty Dollars ($150.00) per week effective August 1, 2006, for each member in good standing who is entitled to receive such benefits as provided in this Article. The Executive Council may, by majority vote, suspend payment of such benefits when the financial condition of the International Brotherhood so warrants. Benefits shall commence to be paid on the first (1st) calendar day of unemployment due to strike, lockout, or victimization as provided herein, except that any member who has participated in a decertification effort or any action to assist another labor organization to be recognized as the bargaining agent shall forfeit all rights and claims to strike, lockout, or victimization benefits, subject to the approval of the International President. Every January 1, the weekly strike benefit set forth above may be adjusted by the percentage increase in average hourly earnings in manufacturing as issued by the Bureau of Labor Statistics for the twelve (12) month period, July to July, immediately preceding an adjustment date, “rounded” to the nearest Five Cents ($0.05).

16.3 – Conditions for Payment of Strike Benefits

Strike benefits shall be payable only under the following conditions and after the following steps have been taken:

16.3.1 – Authorization

The subordinate body involved is in good standing and has obtained strike authorization provided for in Article 16.1.

16.3.2 – Subordinate Body Reporting Requirements

The subordinate body involved has submitted a full report of the contemplated strike to the International President setting forth the nature of the strike, number of persons involved, and the issues. Such report shall be received at International Headquarters in sufficient time to permit the International President to conduct an investigation of the situation through an International Vice President or other representative assigned by the International President to perform such function.

16.3.3 – Investigation by International

Such representative shall investigate the situation, including the regularity of the strike vote, and make a report thereon to the International President, who, based on such report and on such other information as the International President may have obtained, shall make recommendations to the Executive Council concerning the payment of strike benefits. Upon receipt of such report, the members of the Executive Coun-
council shall then vote on the question of whether to provide strike benefits and, if the majority of the Council so vote, such benefits shall be paid.

**16.3.4 – Eligibility for Benefit**

When the International Brotherhood or any subordinate body thereof is involved or engaged in concerted organizing activity and directly involved employees have signed an official application for membership, paid the required initiation and/or reinstatement fee as determined by the International President, and so recorded in the office of the International Secretary-Treasurer, said employees shall, subject to the authorization and approval of the International President as provided under Article 16.1, be eligible for strike sanction and benefits in accordance with Article 16.2. The above situation shall also apply where directly involved employees within the bargaining unit are locked out or forced to take strike action for recognition.

**16.4 – Duties of Lodges Receiving Strike or Victimization Benefits**

Whenever a strike is called in respect to which the payment of strike benefits is being requested, the Secretary-Treasurer of the subordinate body involved shall establish a strike roll in duplicate on forms provided by the International Secretary-Treasurer, containing the names, addresses, and register numbers of all members on strike or those victimized and who are claiming benefits. A copy of such roll shall be forwarded to the International Secretary-Treasurer each week that the strike or victimization is in progress. The strike or victimization roll shall be signed in accordance with instructions issued by the International Secretary-Treasurer. Only members who sign the weekly strike or victimization roll shall be eligible for benefits for such week. The strike or victimization rolls shall be kept in the official files of the subordinate body for a period of one (1) year after the termination of such strike or victimization and shall at all times be subject to inspection by an authorized representative of the International President. Any member who is either gainfully employed or receiving unemployment compensation, workers’ compensation, or accident and sickness benefits, shall not be eligible to sign the weekly strike or victimization roll. Any member who leaves the strike area or fails to perform assigned picket duty when requested unless excused by the officer in charge shall not be eligible to sign the weekly strike or victimization roll. Members receiving strike or victimization benefits shall be entitled to free dues for each full calendar month the strike or victimization is in progress in which no more than four (4) days employment is received. Such benefits shall be paid by the International Secretary-Treasurer on the basis of the official strike roll. Each member receiving strike or victimization benefits shall sign a note in duplicate, and such
duplicate shall be forwarded to the International Secretary-Treasurer reading as follows:

State______City___________________Date______

If I am either gainfully employed or receiving unemployment compensation, workers’ compensation, or accident and sickness benefits and receive strike or victimization benefits during such period of time, I hereby further agree to pay back to the International Brotherhood the full amount of strike or victimization benefits received by me during such period of time.

I further agree that in the event the International Brotherhood instigates litigation against me in order to enforce the above agreement I shall pay all of the cost incurred by the International Brotherhood.

Name________________________________________

Address________________________________________

Register No.________________________________________

16.5 – Termination of Strike Benefits

Strike benefits shall be payable as long as the strike shall continue; provided, however, that the subordinate body involved in the strike shall make every reasonable effort to terminate the strike; and provided further that a representative of the International President shall be kept fully informed of the progress of negotiations and shall be entitled to participate in such negotiations in an advisory capacity. If such representative determines that any employer offer should be submitted to the membership affected by the strike for a vote as to their acceptance, the representative shall be authorized to conduct such vote which shall be taken by secret ballot at a meeting of which such members have been given reasonable notice, a majority of those attending and voting to decide the issue, but provided that such representative may authorize a vote to be taken by other appropriate means or manner. It is further provided, however, that the International President, with the consent and approval of the Executive Council, shall have the authority to terminate the payment of strike benefits at any time that it is determined that further benefit payments are not warranted.

16.6 – Lockout or Victimization Benefits

Lockout or victimization benefits in the same amount as strike benefits may be paid to any member in good standing who is neither gainfully employed nor receiving unemployment compensation, workers’ compensation, or accident and sickness benefits, and has lost employment by reason of being locked out by the member’s employer or discharged while acting under instructions of the member’s subordinate body, or a committee of such subordinate body. Such benefits shall be
payable at the discretion of the International President upon approval of the Executive Council if, upon investigation, it is determined that such payments are warranted, and shall continue for such period as the lockout continues or the International President and Executive Council may determine.

16.7 – Limitation of Responsibility of International Brotherhood

Strike authorization and/or payment of strike benefits by the International Brotherhood does not constitute responsibility for, authorization, or approval of any illegal action or activities of any subordinate body, its officers, or members who are engaged in a strike.

ARTICLE 17
DISCIPLINARY PROCEEDINGS, TRIALS, AND APPEALS

17.1 – Offenses

The basis of charges against officers or members of a subordinate body, against officers of the International Brotherhood, or against a subordinate body itself shall include, but shall not be limited to, any one or more of the following offenses:

17.1.1. Violation of any provision of this Constitution or the By-Laws of a subordinate body or failure to perform duties or functions specified therein;

17.1.2. Refusal to follow lawful directives, orders, or regulations of the International President, the Executive Council, or officers of a subordinate body;

17.1.3. Engaging in any subversive activity, such as fostering or abetting any Communist, Fascist, or other totalitarian movement;

17.1.4. Maintaining membership in another labor organization that adversely affects the interest of this International Brotherhood;

17.1.5. Engaging in any activity or course of conduct contrary or detrimental to the welfare or best interest of the International Brotherhood or of a subordinate body;

17.1.6. The commission of any unlawful, dishonest, dishonorable, or discreditable act in connection with union duties or responsibilities;

17.1.7. Mishandling, misappropriating, or otherwise misusing union funds or properties;

17.1.8. Willfully making any false or fraudulent report required under this Constitution;

17.1.9. Encouraging or engaging in dual unionism or in a secessionist movement;

17.1.10. Willfully slandering or libeling a member of the International Brotherhood or falsely or maliciously attacking the character, im-
pugning the motives, or questioning the integrity of any member of the
International Brotherhood;

17.1.11. Engaging in or fomenting any acts or course of conduct
which are inconsistent with the duties, obligations, and fealty of the
members of a trade union and which violate sound trade union prin-
ciples or which constitute a breach of any existing collective bargaining
agreement;

17.1.12. Failure to exercise responsibility toward the International
Brotherhood as an institution or engaging in conduct which would in-
terfere with the International Brotherhood’s performance of its obliga-
tions;

17.1.13. Threatening with violence or assaulting any union member
or officer;

17.1.14. Causing disruption or disturbance at a union meeting or
union office, interfering with the orderly conduct thereof, or appearing
at any such meeting or office in an intoxicated condition;

17.1.15. Failure to obey orders, directions, or rulings of the presiding
officer of any union meeting;

17.1.16. Obtaining or assisting in obtaining membership through
fraudulent means or by misrepresentation. Violation of this subsection
shall be punishable by revocation of membership;

17.1.17. Making known the business of the International Brother-
hood or any subordinate body to persons not entitled to such knowl-
edge;

17.1.18. Filing charges of violations of this Constitution maliciously
or wantonly;

17.1.19. No member employed by any employer shall accept any
contract work;

17.1.20. No member shall accept employment with a nonunion con-
tractor without prior written approval by the Business Manager or
where there is no Business Manager, by the President of the Local
Lodge having the jurisdiction over the territory.

17.2 – Charges and Notice of Trial

17.2.1 – Charges

Charges of violation of this Constitution or subordinate body By-
Laws may be made by any member in good standing who has knowl-
edge of the alleged violation. Charges shall at all times be made in good
faith and within sixty (60) days after the date that the alleged violation
occurred. However, this time limit will not apply to those charges
wherein the basic facts and evidence pertaining thereto could not be ac-
cumulated or made known within that period of time. In no event will
any charge be processed which is based on an alleged violation occur-
rting more than one (1) year prior to the filing of such charge except that
this time limit shall not apply to any charge alleging a violation of Article 17.1.7. Failure to file charges in good faith or malicious or wanton filing of charges shall subject the charging party to disciplinary action and punishment. Charges shall be set forth in writing and a copy of the charges served upon the individual or body being charged by registered or certified mail, with return receipt requested to last-known address, and a copy thereof filed with the President of the Local Lodge and the International President. Charges shall set forth with sufficient definiteness to inform the accused of the nature and circumstances of the violations complained of, together with a reference to the particular subsection of Article 17.1 under which the charges were brought. If the charges are not filed in conformance with this paragraph, the International President is authorized to dismiss said charges. Article 17 proceedings are to address and remedy serious violations of this Constitution or subordinate body By-Laws. Accordingly, referral disputes shall be resolved through the referral disputes procedure, while contractual violations shall be resolved under the grievance procedure of the applicable labor agreement. Other disputes, such as personal or political disputes or differences shall be addressed through the Grievance Adjustment Procedures provided in Article 5.7 of this Constitution. The foregoing notwithstanding, circumstances may arise in which conduct implicating the collective bargaining agreement and/or referral procedures may also be appropriately addressed through Article 17 proceedings.

17.2.2 – Notice of Trial

Upon receipt of notification from the International President that charges have been properly filed, the Lodge President or the International President (where the International President has assumed jurisdiction) will, within a reasonable period of time, establish a date for an informal hearing between the parties directly involved, and a sincere effort will be made to resolve the matter at this point. If the charges are disposed of as a result of this informal hearing, the agreement reached by the parties shall be reduced to written form, signed by the parties directly involved therein and witnesses thereto. However, if the matter is not concluded on such informal basis, the Local Lodge President or the International President, as the case may be, shall fix a time for trial which shall be not later than forty-five (45) days following receipt of such charges and shall give the accused at least fifteen (15) days notice of the time and place of a hearing on such charge at which such accused shall appear and defend. If the accused fails to appear, unless postponement has been granted for good cause, the trial shall nevertheless proceed. Similar notice shall be given the charging party and all directly involved parties.
17.2.3 – Dismissal of Charges

In circumstances where the International President determines that it is in the best interest of the International Brotherhood and its members, the International President may direct that the charges be dismissed as lacking in merit, as involving minor disputes, or for such other reasons as the International President deems appropriate; that any or all time limits for handling said charges be held in abeyance for a reasonable period of time; or that the dispute be resolved in some other forum or in some other manner deemed by the International President to be appropriate under the circumstances; provided, however, that no penalty may be assessed against the accused member over that member’s objection absent a formal hearing as provided for in this Article. If not satisfied with the International President’s decision, the Charging Party may appeal, in writing, by registered or certified mail, to the Executive Council, providing the appeal is received by the Executive Council within fifteen (15) days from the date of the International President’s decision. In cases of appeal, the International President will postpone further action on the dispute pending final decision from the Executive Council. The decision by the Executive Council shall be final and binding.

17.3 – Trial Bodies

17.3.1 – Local Lodge Jurisdiction

Local Lodges shall have jurisdiction to hear charges, through a trial body, involving their members or their officers, or members working or seeking work in their jurisdiction if the offense is there committed, subject to the provisions of Articles 17.2.3 and 17.3.2. The trial body of the Local Lodge shall consist of a panel of three of the elected officers of such Lodge as decided by the elected officers. No charging or other directly involved party shall sit as a member of a trial body, and any member of a trial body may be challenged for cause and, if the trial body finds cause to exist, such member shall vacate that position and the President shall fill such vacancy by appointment. In the event such vacancy cannot be filled by a Local Lodge officer, the Local Lodge shall elect from among the members of the Local Lodge to fill such vacancy.

17.3.2 – Executive Council Jurisdiction

The Executive Council shall have jurisdiction to hear charges of violations of this Constitution by any member or subordinate body of the International Brotherhood if in the judgment of the International President the circumstances warrant. It can exercise such jurisdiction even though charges are pending before a Local Lodge. The Executive Council shall have exclusive jurisdiction to hear charges against subordinate bodies and against International Officers. Any member of the Executive
Council who is directly involved in the proceedings so that the Council member cannot function in an impartial manner shall not participate in the proceedings or be subject to challenge for cause.

**17.4 – Trial Procedure**

**17.4.1 – Conduct of Hearing**

In all hearings, trials, and other matters which are to be decided and acted upon by the Executive Council, the conduct of the hearing and the taking of evidence may be performed by a member or officer of the Brotherhood or by a panel duly appointed by the International President to act in the matter. The required report to the Executive Council, copy of the record made at the hearing or trial, together with exhibits will be forwarded to International Headquarters and the decision in the case shall be made by the Executive Council based on such report and record.

**17.4.2 – Minutes of Proceedings**

At every hearing, whether conducted on the Local or International level, minutes of the proceedings shall be kept together with a summary of the evidence and the testimony of witnesses. If a verbatim record is desired by any party to the proceedings, the union shall provide same and such party shall bear the costs of same, and other directly involved parties desiring a copy shall pay the costs of such copy.

**17.4.3 – Representation and Cross Examination**

Either party shall have the right to confront and cross-examine witnesses and to be represented only by a member except one in a supervisory capacity. No non-members, other than witnesses and official reporter, if any, shall be permitted to attend the hearing. Witnesses, except when testifying, shall be excluded upon the request of an opposing party or at the discretion of the trial body or Hearing Officer. The trial body or Hearing Officer shall have authority to limit the attendance of members if necessary to preserve order.

**17.4.4 – Decision of Trial Body**

As soon as possible, but not more than twenty-one (21) days after the conclusion of the trial, or in cases where verbatim transcript is involved within twenty-one (21) days after receipt of transcript, unless otherwise determined by the International President, the trial body shall make a decision in writing and send a copy to the accused and other directly involved parties by registered or certified mail, with return receipt requested to last-known address. If the accused is found guilty, the trial body shall establish the penalty and set it forth in its decision. Penalties should be imposed according to the nature of the offense.
17.5 – Penalties

17.5.1 – Types of Penalties

Penalties for violations of this Constitution may include reprimand, fine, suspension from office or from membership rights for a stated period, suspension from right to run for office for a stated period, suspension from right to attend meetings, or if permitted to attend from the right to speak or vote at meetings for a stated period, revocation of Withdrawal Card, expulsion from membership, suspension or revocation of charter, or a combination of any of the foregoing.

17.5.2 – Notification

Subordinate bodies which have imposed any penalty under this Article shall immediately notify the International President and International Secretary-Treasurer thereof in writing.

17.5.3 – Removal from Premises

Any person violating the provisions of Article 17.1.14 shall be required to leave the premises. If the conduct involved warrants further action, it shall be necessary to prefer charges and have a hearing conducted thereon as provided in this Article.

17.6 – Appeals

17.6.1 – Written Appeal to Executive Council

The decisions of Local Lodge trial bodies may be appealed to the Executive Council by any party adversely affected by such decision. Appeals shall be in writing and filed with the International President by registered or certified mail to be received by the International President within fifteen (15) days of the date the trial body decision is mailed and shall state the basis for the appeal. Pending action on any appeal, all penalties that might have been prescribed shall continue in effect, including payment of fines, unless otherwise directed by the International President.

17.6.2 – Disposal of Appeal

The Executive Council may dispose of the appeal as the circumstances and record warrant, including remand for further proceedings or retrial, including alteration, change, or modification of penalty.

17.6.3 – Decisions Involving an International Officer

Decisions of the Executive Council shall be final, except that decisions of the Executive Council finding an International Officer guilty of charges of violations of the Constitution may be appealed to the next Convention. If any such Officer desires to appeal, that Officer shall file
such appeal with the International Secretary-Treasurer within thirty (30) days after receiving the decision.

ARTICLE 18
TRUSTEESHIPS

18.1 – Authority For

The Executive Council shall have authority to place any subordinate body under trusteeship if it is satisfied after notice and hearing that a trusteeship is warranted and the interests of the International Brotherhood so require. If it appears that a trusteeship may be necessary, such hearing shall be conducted as provided for in Article 17.4.1. The subordinate body involved shall be given at least ten (10) days written notice of such trusteeship hearing. Interested officers and members, including representatives of the International Brotherhood, may appear at such hearing to present evidence as to why a trusteeship should or should not be imposed. Grounds for the imposition of trusteeships shall include secession or threatened secession; dissolution or threatened dissolution; dissipation or loss of funds or assets or financial malpractice or corruption or threat thereof; violation or threatened violation of collective bargaining agreements; the deprivation of democratic procedures and other activities constituting a violation of this Constitution and threatening the welfare of the subordinate body membership or the International Brotherhood. If upon the evidence introduced at the trusteeship hearing and all the circumstances the Executive Council is satisfied that a trusteeship is required, it may impose a trusteeship for such period as it deems reasonably necessary, and place a trustee appointed by the International President in charge of the activities of the subordinate body.

18.2 – Administration of Trusteeship

Such trustee shall have the right, upon demand, to all the funds, properties, books, and assets of the trusteed body for the period that the trustee is in charge. Such properties shall be held in trust for the benefit of the subordinate body and expended only to the extent necessary for the proper conduct of the affairs of the subordinate body. The trustee shall be adequately bonded. The trustee so appointed shall be authorized and empowered to remove any or all officers and appoint temporary officers for the duration of the lodge’s trusteeship and to remove or replace other representatives or employees of such trusteed body, and to take such other actions as in the trustee’s judgment are necessary for the preservation of the subordinate body and its assets, all subject to the direction, instructions, and approval of the International President. Any officers who may be suspended by the trustee under the provisions of this section shall surrender to the trustee upon proper receipt therefor,
all monies, books, and properties of the subordinate body. Temporarily-appointed officers shall be members in good standing of such subordinate body. At the termination of the trusteeship, the officers who have been suspended shall resume their offices for the balance of the term unless the trustee, with the approval of the International President and after hearing, determines that any particular officer shall be removed. In the event of such removal, the vacancy shall be filled under the provisions of this Constitution. The trustee shall be empowered to pay all claims which are properly approved if funds therefor are available and in all necessary particulars to conduct the affairs and management of the subordinate body with the assistance of the temporary officers herein provided for until the trusteeship is terminated. Expenses incurred by reason of the trusteeship shall be paid out of the funds of the subordinate body, if they are available, otherwise they shall be borne by the International Brotherhood. During the period of trusteeship, no funds of the trustee body except normal Per Capita Tax and other financial obligations normally payable by subordinate bodies shall be transferred to the International Brotherhood unless the subordinate body is dissolved. Such trusteeship shall be continued no longer than is necessary to coordinate and reorganize the affairs of the subordinate body and shall in all events be concluded as soon as practicable within the judgment of the International President subject to the approval of the Executive Council; provided, however, that the trustee body shall have the right to appeal to the Executive Council for removal of the trusteeship if it is deemed that such trusteeship has served its purpose. If it becomes necessary to revoke permanently the charter of the subordinate body, then any balance remaining to the credit of the subordinate body and other properties shall be forwarded to the International Secretary-Treasurer.

18.3 – Emergency Power of the International President

In any situation in the judgment of the International President, where grounds for the establishment of a trusteeship exist or grounds for suspension of a subordinate body officer exist, and in addition the activities of the subordinate body or of its officers or membership are such as to create an emergency imminently threatening the welfare, funds, or property of the subordinate body, then the International President may summarily place a subordinate body in trusteeship, subject to a subsequent hearing by the Executive Council as set forth in Article 18.1. Such hearing shall be held within fifteen (15) days after the imposition of such emergency trusteeship. If in the International President’s judgment the situation warrants, the International President may at any time within thirty (30) days of the imposition of the emergency trusteeship terminate same. In the event the International President does not
terminate the emergency trusteeship within thirty (30) days, the Executive Council, as soon as practicable thereafter upon the evidence introduced at the trusteeship hearing and all the circumstances relating thereto, shall take action in accordance with Article 18.1.

ARTICLE 19
DIVISIONS AND COUNCILS

19.1 – Divisions

In order to facilitate the orderly administration of the internal operations of the Brotherhood and in recognition of the occupations embraced in its jurisdiction, the membership of this Brotherhood shall be grouped in three (3) broad divisions and twelve (12) subdivisions, as follows:

19.1.1 – Ship Building and Marine

Embracing (1) Commercial Yards, (2) Naval Yards, and (3) other Marine Work.

19.1.2 – Construction

Embracing (1) Erection, Dismantling, Conversion, Quality Control, and Repair, and (2) Contract Maintenance.

19.1.3 – Industrial Plants or Shops

Embracing (1) Production and Maintenance Units, (2) Craft Units (production), (3) Craft Units (maintenance), (4) Railroad Craft Units (manufacture, maintenance, and repair of railroad equipment, and infrastructure), (5) Office–Professional–Technical Units, (6) Paramedics, and (7) Diversified Units and Business Equipment.

19.2 – Industry Councils

19.2.1 – Establishment and Affiliation

The International President, with the approval of the Executive Council, shall have authority to establish a Council or Conference on an industry-wide basis for any industry other than the construction industry. The International President and Executive Council shall have authority to determine whether particular Lodges shall be required to affiliate and/or remain in affiliation with a particular Council or Conference.

19.2.2 – Council Function

It shall be the function of an Industry Council or Conference to coordinate activities of Local and District Lodges and of the membership in such industry, to assist in organizational work in such industry, to assist
in collective bargaining with a view to establishing uniform rates and conditions in such industry, and in this connection to engage in re-search and related activities on an industry-wide basis.

19.2.3 – Collective Bargaining

The International President and Executive Council shall have au-thority to require Local Lodges affiliated with an Industry Council or Conference to engage in that type of collective bargaining which will ef-fectively promote the establishment of uniform rates and conditions in the industry and the welfare of the membership.

19.3 – Industrial Councils

19.3.1 – Establishment and Affiliation

The International President, with the approval of the Executive Council, shall have authority to establish Industrial Councils on a geo-graphic or trade basis to assist and coordinate in the attainment of the declared purposes and objectives of this International Brotherhood. As a servicing and coordinating body, the Industrial Council shall be em-powered to engage or assist in organizing efforts within its jurisdiction and in the collective bargaining processes authorized in its By-Laws and may perform such other services and functions as assisting in the administration of collective bargaining agreements, establishing train-ing programs, and engaging in legislative activities as so provided in its By-Laws. The International President and Executive Council shall have authority to determine what Local Lodges shall be required to affiliate and/or remain in affiliation with an Industrial Council.

19.3.2 – By-Laws

All Industrial Councils shall adopt By-Laws which shall be ap-proved by the International President before becoming effective. The By-Laws adopted shall set forth the Council’s organizational structure, governing principles and policies, including revenue.

ARTICLE 20

CONSTRUCTION SECTOR OPERATIONS DIVISION

There shall be a Construction Sector Operations Division for the pur-pose of servicing those members who have an employment relation-ship in the Construction Sector. The Construction Sector shall include the following: Construction Division; National Transient Division; Quality Control; and all other construction industries. There shall be an Executive Director-Construction Sector Operations, appointed by the International President, to supervise and direct all activities that fall under this Article.
20.1 – Establishment and Function

20.1.1 – Establishment

There shall be at International Headquarters a Construction Division for the purpose of servicing solely those members who have an employment relation with the construction industry.

20.1.2 – Function

It shall be the function of the Construction Division to assist in collective bargaining in the industry, to negotiate and administer all International Brotherhood work jurisdiction agreements with other International unions in the industry, and to engage in research and other related organizational activities to the end of effectively protecting and promoting the interests of members employed in the construction industry.

20.2 – Administration and Conferences

20.2.1 – Administration

The Construction Division shall be administered by a Director who shall be appointed by and responsible to the International President. The Director shall recommend and, where justified, the International President shall appoint as many Construction Division representatives as necessary for effective administration of the Division. Said representatives shall be field construction boilermakers except for professional and technical personnel. A fully-staffed and equipped Construction Division support office shall be established in Washington, D.C., to further optimize our effectiveness in dealing with the full range of construction industry problems and to advance the service, representation, and protection of our Construction Lodges and membership.

20.2.2 – Conferences

Semi-annual conferences will be held of Construction Lodge Business Managers and area Construction Division representatives. A report of these conferences shall be sent to all Construction Lodge Business Managers. An annual meeting of all Construction Lodge Business Managers and Construction Division representatives shall be held at a location to be determined by the International President at which a report shall be given of Construction Division activities.

20.3 – Revenue

20.3.1 – Construction Division Fund

There shall be established a Construction Division Fund, as a special purpose fund of the International Brotherhood, to finance those Divi-
sion activities set forth in Article 20.1.2, which shall be administered in accordance with provisions of this Constitution.

**20.3.2 – Construction Division Field Dues Assessment**

All members or temporary non-members employed on construction or maintenance work on which field dues are payable shall pay to the Lodge/District in which they are employed a Construction Division Fund field dues working assessment in the amount of one percent (1%) of the gross income received from such employment. This assessment shall be in addition to the Lodge/District established field dues.

**20.3.3 – Lodge/District Field Dues Assessment**

Lodges/Districts with construction jurisdiction shall levy Lodge/District field dues in the amount set forth in approved Lodge/District By-Laws, but such amount shall not be less than three percent (3%) of the gross income of all members or temporary non-members employed on construction or maintenance work in the Lodge’s/District’s jurisdiction, unless a lesser amount is approved by the Executive Council.

**20.3.4 – Combined Minimum Field Dues Assessment**

The combined minimum field dues assessment in any Lodge/District shall not be less than four percent (4%).

**20.3.5 – Transmission of Field Dues Assessment**

Lodges/Districts with construction jurisdiction shall transmit to the International Secretary-Treasurer for deposit to the account of the Construction Division Fund, the Construction Division Fund field dues assessment amount required by Article 20.3.2 and shall retain for deposit to the account of the Lodge/District the balance of the field dues collected. Such payments shall be made in accordance with procedures established by the International Secretary-Treasurer.

**20.3.6 – Minimum Cash Reserve and Annual Adjustment**

**20.3.6.1 – Suspension of Field Dues Caps and/or Escalator Formulas**

All Construction Lodge/District field dues caps and/or escalator formulas were suspended effective December 31, 2001.

**20.3.6.2 – Minimum Cash Reserve**

Effective January 1, 2002, all Lodges/Districts with construction jurisdiction shall levy field dues in an amount calculated by the Construction Division to be sufficient to provide the Lodge/District with a minimum two (2) year cash reserve by or before December 31, 2011.
20.3.6.3 – Annual Adjustment

Beginning in November 2001 and each November thereafter, the Construction Division shall calculate each Lodge/District field dues assessment. The field dues assessment shall be calculated based upon liquid assets and operating expenses for the prior fiscal year plus projected gain/loss for the current fiscal year. Any change in field dues shall be implemented on January 1 of the year following the review, and shall be rounded to the nearest one-quarter of one percent (0.25%).

20.3.6.4 – Maximum Dues Increase

The maximum annual increase in Lodge/District field dues, in accordance with Article 20.3.6.3, shall be limited to one percent (1%).

20.3.6.5 – Dues Decreases

Before any decrease in field dues will be granted, the Lodge/District must maintain a two (2) year cash reserve for at least one (1) fiscal year.

20.3.6.6 – Authority to Change Field Dues Assessment

The Executive Council shall, upon recommendation from the respective area International Vice President, be empowered to direct, after proper notification to the Lodge/District, that the Lodge/District field dues assessment shall be adjusted effective January 1st the following year in accordance with the above. The field dues assessment, however, shall not be less than the minimum field dues set forth in Article 20.3.4.

20.3.7 – Emergency Field Dues Assessment Authority

20.3.7.1 – Emergency Field Dues Assessment to Construction Division

The Executive Council shall be empowered between Conventions to levy an emergency field dues assessment of up to one-quarter of one percent (0.25%) of gross income for a period not to exceed the start of the Convention that follows the enactment of the emergency assessment. This emergency assessment shall be in addition to the minimum field dues set forth in Article 20.3.4.

20.3.7.2 – Emergency Field Dues Assessment to Lodge/District

The Executive Council shall be empowered between Conventions to levy an emergency field dues assessment to be retained by the Lodge/District in an amount equal to the assessment levied pursuant to Article 20.3.7.1. This assessment shall be for a period not to exceed the duration of the emergency assessment for the Construction Division. This emergency assessment shall be in addition to the minimum field dues set forth in Article 20.3.4.
20.4 – National Transient Division

20.4.1 – Establishment and Function

There shall be a National Transient Division for the purpose of giving status to and servicing those members who by the transient nature of their employment have no fixed permanent place of employment in the construction industry. It shall be the function of the National Transient Division to assist in negotiating the NTD Labor Agreement(s) and to engage in research and other related organizational activities to the end of effectively protecting and promoting the interests of the National Transient membership and the organizational purposes and objectives set forth in Article 1.2.

20.4.2 – Administration and Representatives

20.4.2.1 – Administration

The National Transient Division will be administered by a Director who will be appointed by and responsible to the International President.

20.4.2.2 – Representatives

The Director shall recommend and, where justified, the International President shall appoint as many Division representatives as necessary to effectively service the National Transient membership in the national area in which they are employed.

20.4.3 – Revenue

20.4.3.1 – National Transient Division Fund

There shall be established a National Transient Division Fund, as a special purpose fund of the International Brotherhood, to finance those Division activities set forth in Articles 20.4.1 and 20.4.3.3, which shall be administered in accordance with provisions of this Constitution.

20.4.3.2 – Field Dues Assessment

The National Transient Division Fund will be financed from field dues payable on all work performed under the NTD Labor Agreement(s). Said dues shall be established in accordance with Articles 20.3.2 and 20.3.3.

20.4.3.3 – Use of Funds

The National Transient Division Fund will be used to pay the salary, allowances, and expenses approved by the International President incurred by National Transient Division representatives in the performance of assigned organizational responsibilities.
ARTICLE 21
INDUSTRIAL SECTOR OPERATIONS DIVISION

21.1 – Establishment and Function

21.1.1 – Establishment

There shall be an Industrial Sector Operations Division for the purpose of servicing those members who have an employment relationship within the Industrial Sector. The Industrial Sector Operations shall include the following: Manufacturing; Blacksmiths; Boiler; Iron Ship Builders; Forgers; Helpers; Cement, Lime, Gypsum and Allied Workers Division; Railroad Division; Stove, Furnace, Energy, and Allied Appliance Workers Division; and all other Non-Construction Industries.

21.1.2 – Function

It shall be the function of the Industrial Sector Operations Division to assist in collective bargaining in all non-construction industries, to assist with negotiations, consistent with Article 5.2, and administration of all Local Lodge Collective Bargaining Agreements within those industries, and to engage in research and other related organizational activities to the end of effectively protecting and promoting the interests of members employed within the Industrial Sector.

21.2 – Administration and Conferences

21.2.1 – Administration

The International President shall appoint as many Industrial Sector Operations Division representatives as he deems necessary for effective administration of the Division. Said representatives shall be members except for professional and technical personnel. A fully-staffed and equipped Industrial Sector Operations Division support office shall be established, as determined by the International President, to further optimize effectiveness in dealing with the full range of industry issues and to advance the service, representation, and protection of Industrial Sector Operations Lodges and membership.

21.2.2 – Conferences

Annual conferences may be held of Industrial Sector Operations Lodge Officers/Representatives and area Industrial Sector Operations International Representatives. When held, such conferences shall be held at locations to be determined by the International President at which a report shall be given of Industrial Sector Operations Division activities.
21.3 – Revenue

21.3.1 – Industrial Sector Operations Fund

There shall be established an Industrial Sector Operations Fund, as a special purpose fund of the International Brotherhood, to finance those Division activities set forth in Articles 21.2.1 and 21.2.2 which shall be administered in accordance with the provisions of this Constitution.

21.3.2 – Industrial Sector Operations Division Assessment

Effective January 1, 2012, each Local Lodge with members in the Industrial Sector Operations Division, not covered by Articles 21.4 and 21.5, will pay into the Industrial Sector Operations Division Fund One Dollar ($1.00) per member per month for each member employed on non-construction work to finance those Division activities set forth in Articles 21.2.1 and 21.2.2 which shall be administered in accordance with the provisions of this Constitution. This amount will be increased by One Dollar ($1.00) at the first of each year beginning January 1, 2013, if in the judgment of the Executive Council, said increase is necessary. The Industrial Sector Operations Division Assessment will be in addition to monthly membership dues and any other Divisional Dues required by this Constitution.

21.3.3 – Transmission of Division Dues Assessment

Lodges/Districts with Industrial Sector jurisdiction shall transmit to the International Secretary-Treasurer for deposit to the account of the Industrial Sector Operations Fund, the Division Assessment amount required by Article 21.3.2. Such payments shall be made in accordance with procedures established by the International Secretary-Treasurer.

21.4 – Railroad Division

21.4.1 – Establishment

Within the Industrial Sector Operations there shall be a Railroad Division comprised solely of those members who have employment relationship with the railroad industry in the United States.

21.4.2 – Revenue/Industrial Sector Operations Division Dues

There shall be established a Railroad Division Fund, as a special purpose fund of the International Brotherhood, to finance activities on behalf of the Division. All members gainfully employed in the railroad industry in the United States shall pay Railroad Division dues in the amount of Twenty-Eight Dollars ($28.00) per month.
21.5 – Cement, Lime, Gypsum, and Allied Workers Division

21.5.1 – Establishment

Within the Industrial Sector Operations, there shall be a Cement, Lime, Gypsum, and Allied Workers Division for the purpose of giving status to and servicing those members who have an employment relationship with those industries. New members organized within the jurisdiction of the Division, whether placed in an existing Local Lodge of the Brotherhood or chartered as a new Local Lodge, will be affiliated with the Division.

21.5.2 – Revenue

There shall be established a Cement, Lime, Gypsum, and Allied Workers Division Fund, as a special purpose fund of the International Brotherhood, to finance activities on behalf of the Division.

21.5.2.1 – Dues and Per Capita Tax

The Cement, Lime, Gypsum, and Allied Workers Division Fund will be financed by members employed in the industry in the following manner:

21.5.2.2 – Industrial Sector Operations Division Dues and Per Capita Tax

All members employed in the Cement, Lime, Gypsum, and Allied Workers industry shall pay to the Lodge in which they hold membership Cement, Lime, Gypsum, and Allied Workers Division dues at the rate of 0.55 percent of their gross pay, excluding bonuses, effective January 1, 2012. The Lodge shall transmit to the International Secretary-Treasurer a monthly Per Capita Tax plus the Division dues set forth above.

21.5.2.3 – District 11 Dues and Per Capita Tax

In the case of Lodges in District 11, the base rate set forth herein shall be the negotiated base rate, excluding probationary or hiring-in rates; provided, however, the negotiated base rates shall not be less than the base rates in effect on July 1, 2001. Lodges in District 11 shall transmit to the International Secretary-Treasurer a monthly Per Capita Tax payment in the amount of 1.65 times the base rate. The Per Capita Tax payment submitted by District 11 Lodges shall be distributed as follows: 1. International Per Capita Tax as provided in Article 12.2 shall be deducted; 2. a maximum of 0.65 times the base rate shall be remitted to District 11; and 3. any remaining balance shall be deposited in the Cement, Lime, Gypsum, and Allied Workers Division Fund.

21.6 – Annual Report

The International Secretary-Treasurer shall make an annual report of the Industrial Sector Operations Division Fund, including the Railroad
Division Fund and the Cement, Lime, Gypsum, and Allied Workers Division Fund, to the Local Lodges.

21.7 – Temporary Severance Status

21.7.1 – Special Situations

In special situations where warranted, the International President shall be empowered to authorize Local Lodges with Industrial Sector jurisdiction to place a member on Temporary Severance Status provided the member becomes involuntarily unemployed under such conditions as the International President may prescribe.

21.7.2 – Rights of Members on a Temporary Severance Status

Any member on Temporary Severance Status shall not be entitled to exercise any right accruing from membership in the International Brotherhood during the period that such Temporary Severance Status is in force and effect.

21.7.3 – Deposit of Temporary Severance Status

A member on Temporary Severance Status, upon returning to work at the trade, shall immediately be placed on active status and the member’s ability to exercise the rights of membership otherwise suspended will be restored.

21.7.4 – Duration of Temporary Severance Status

Temporary Severance Status shall expire twenty-four (24) calendar months after commencement.

ARTICLE 22

DISTRICT LODGES

22.1 – Formation

In localities where two (2) or more Local Lodges are in existence and in industries where the interests of the International Brotherhood so require, District Lodges composed of such Local Lodges may be formed at the direction of the International President and Executive Council. The International President and Executive Council shall determine what Local Lodges are eligible for affiliation with the District and shall also determine whether or not a Local Lodge shall affiliate with or remain in affiliation with the District Lodge. All District Lodges shall adopt By-Laws which shall be approved by the International President before becoming effective.

22.2 – Charter and Jurisdiction

When it is determined that a District Lodge shall be formed, such Lodge shall be regularly chartered as a subordinate body of the Interna-
tional Brotherhood. Each charter shall set forth the allocated geographical
and/or trade jurisdiction of such District Lodge, and the International President and Executive Council shall have full authority thereafter to change, alter, enlarge, reduce, or cancel such jurisdiction.

22.3 – Purposes

The District Lodge shall be primarily an administrative, servicing, and coordinating body. Its principal function shall be to provide mutual protection and harmonious relationships between affiliated Lodges and to coordinate and assist in the attainment of the economic and other objectives of affiliated Lodges. In pursuance of the foregoing purposes, the District Lodge shall be empowered to engage or assist in organizing efforts within its jurisdiction and in the collective bargaining process as authorized in its By-Laws, and it may perform other services and functions such as settling grievances and disputes within its jurisdiction, establishing training programs, and engaging in legislative activities if so provided in its By-Laws.

22.4 – Government and Meetings

22.4.1 – District Lodges

District Lodges shall be governed by a convention of delegates from affiliated Local Lodges as hereinafter set forth, which convention shall meet quadrennially. Between such District Lodge conventions, the District Lodge shall be governed by a District Council consisting of three (3) or more of its officers as determined by the By-Laws of the District Lodge, such Council members to be elected at the convention by a majority vote of the delegates there assembled. Such Council shall meet at least semi-annually or as otherwise specified in the District Lodge By-Laws.

22.4.2 – Term of Office – United States

The term of all officers of District Lodges shall be in accordance with approved District Lodge By-Laws, but in no event in excess of four (4) years.

22.4.3 – Term of Office – Canada

The term of office of District Lodges shall be for five (5) years from July 1st of such election year (2003) and until their successors are elected and assume office. There shall be no deviation from this unless federal or provincial laws dictate otherwise.

22.5 – Representation and Establishment of By-Laws

Representation of affiliated Local Lodges in the District Lodge convention shall be obtained by the election by secret ballot of a delegate or delegates to such District Lodge convention by each of the affiliated
Local Lodges, the number of such delegates to be determined by the By-
Laws of the District Lodge; provided, however, that each affiliated Local
Lodge shall have the right to elect the same number of delegates to the
District convention, each delegate to have equal vote and equal repre-
sentation in the District convention unless otherwise provided for in the
approved District Lodge By-Laws. Eligibility to serve and procedure for
nomination and election of delegates to District Lodge conventions shall
be the same as provided for delegates to International Brotherhood Con-
ventions under Articles 2.3 and 2.4, other than time of nomination and
election meeting and unless otherwise specified in approved District
Lodge By-Laws. Upon the formation of a District Lodge the original By-
Laws shall be formulated at a convention of an equal number of repre-
sentatives elected by secret ballot by each Local Lodge affiliated with the
District Lodge subject to the approval of the International President. By-
Laws of District Lodges may thereafter be amended by majority action
of the delegates at a District Lodge convention subject to approval by the
International President. By-Laws, or any amendment thereto, shall not
be in conflict with any provision of this Constitution. Following the
adoption of this Constitution, all provisions of District Lodge By-Laws
which are in conflict with the provisions of this Constitution shall be
deemed null and void and each District Lodge Council shall promptly
make such amendments to the District Lodge By-Laws as are necessary
to conform with this Constitution and submit such amendments to the
International President for approval.

22.6 – Officers

22.6.1 – Mandatory Officers

The officers of a District Lodge shall be as provided in its approved
By-Laws; provided, however, that there shall be a President, Vice Presi-
dent, Secretary-Treasurer, Recording Secretary, Inspector, and a Board
of Trustees comprised of three (3) members (one of whom shall be des-
ignated Chairman as provided in the By-Laws), and a Business Man-
ger (or the equivalent where a different title is used) where one is re-
quired and can be supported on a full- or part-time basis as a salaried
officer of the District Lodge. A Lodge may combine offices where a
combination of duties and responsibilities is compatible, if prior ap-
proval to do so is granted in writing by the International President. The
officers shall be selected by majority vote of the delegates to such Dis-
trict Lodge in convention assembled unless otherwise provided for in
the approved District Lodge By-Laws and their duties shall be as pre-
scribed in such District Lodge By-Laws provided that such duties shall
not be inconsistent with the duties of comparable Local Lodge officers.
Other positions in the District Lodge may be filled by election or ap-
pointment as determined by this Constitution or District Lodge By-
Laws, except that Assistant Business Managers, Dispatchers, Stewards,
or other full- or part-time salaried representatives and office help shall
be appointed or dismissed by the elected officer under whom they are
to work and who is primarily held responsible under this Constitution
for the performance of the appointee’s official duties; however, such po-
sitions are not to be designated or considered offices as outlined above.

22.6.2 – Designated Title

In District Lodges, the title of District Representative and/or Execu-
tive Secretary may be used to designate the combined office of District
Lodge Business Manager and Secretary-Treasurer.

22.7 – Revenue

The revenue of District Lodges shall be derived from Per Capita Tax
payments made by the Local Lodges affiliated with it and/or from field
dues paid directly to the District Lodge by any field construction
worker over whom it has jurisdiction. The amount of such Per Capita
Tax and dues shall be prescribed in the approved By-Laws of such Dis-
trict Lodge. Any additional source of revenue shall also be set forth in
the approved By-Laws.

Failure of any Local Lodge affiliated with the District Lodge to pay
its Per Capita Tax or other financial obligations shall be grounds for
revocation of its charter or other disciplinary action.

22.8 – Reporting

The books of the District Lodge shall be audited quarterly and copies
of such audit shall be submitted to the affiliated Local Lodges and to
the International Secretary-Treasurer.

ARTICLE 23

LOCAL LODGES

23.1 – Formation

Consistent with the provisions of Article 5.5 anyone residing in the
United States or Canada, or in territories or possessions thereof, pos-
sessing qualifications required by the International Brotherhood Con-
stitution may apply for and be granted a charter for the establishment
of a Local Lodge. Each such charter if granted shall state the work, loca-
tion, and geographical jurisdiction of such Local Lodge.

23.2 – Local Lodge By-Laws – Duty to Adopt

Unless excused by the International President, Local Lodges shall adopt
By-Laws specifying the rules and regulations which, together with this
Constitution, will govern the conduct of the Local Lodge. Such By-Laws
shall not be inconsistent nor in conflict with this Constitution. The proce-
dure for adoption of Local Lodge By-Laws shall conform to the procedure for amendment of Local Lodge By-Laws as provided by Article 23.3.

23.3 – Procedure for Adoption or Amendment of Local Lodge By-Laws

23.3.1 – Opening for Amendment

Local Lodge By-Laws may be opened for amendment only by majority action of a Local Lodge at a regular meeting; provided, however, that Local Lodge By-Laws may be opened for amendment no more than once in any twelve (12) month period from the stamped date of approval by the International President or unless otherwise directed by the International President or Executive Council.

23.3.2 – Monetary Amendments

A proposed amendment for any change in the rate of initiation or reinstatement fees, monthly dues, field dues, salary adjustments (including fringe benefits; i.e., pension, annuity, health & welfare, etc.), expenses or allowances, or the levying of a special assessment shall be made only in accordance with the following procedure.

Reasonable notice shall be given to the membership at least fifteen (15) days prior to the meeting at which the membership will consider the question of whether or not such dues, initiation or reinstatement fees, salary adjustments (including fringe benefits; i.e., pension, annuity, health & welfare, etc.), expenses or allowances, or assessments shall be changed or levied. The notice shall indicate that an adjustment or assessment is to be voted on, and shall be given in such a way as to be reasonably calculated to reach the entire membership of the Local Lodge. A majority vote by secret ballot shall be necessary for adoption. Such meeting may be regular or special.

23.3.3 – All Other Amendments

For all other amendments to the By-Laws the procedure shall be as follows:

23.3.3.1 – Appointment of Committees

The Local Lodge President shall appoint a Committee on By-Laws (where one does not already exist) of not less than three (3) nor more than seven (7) members, unless otherwise approved by the International President. The members of the By-Laws Committee shall elect a Chairman from among the By-Laws Committee.

23.3.3.2 – Notice of Amendment or Adoption

The membership shall be notified that the By-Laws will be amended or adopted at the next three (3) regular meetings. The By-Laws Com-
mittee at the first regular meeting shall request the membership for suggested amendments, and such amendments as are suggested will be considered by the By-Laws Committee, such amendments to be presented to the Secretary-Treasurer who will turn them over to the By-Laws Committee. At the second regular meeting, the By-Laws Committee shall report proposed amendments for discussion, adoption, rejection, or amendment. The Committee on By-Laws shall then perfect the language of the amendments or By-Laws adopted at the second regular meeting and report same back in their entirety to the third regular meeting for final action without further amendment, or, upon the direction of the International President, submit the amendments or By-Laws in written form to the membership for an all-mail ballot under procedures outlined by the International President.

23.3.3.3 – Secret Ballot

A majority vote by secret ballot of those members voting at such third regular meeting shall be necessary for final adoption.

23.3.4 – Approval by International President

Adopted By-Laws or amendments shall be submitted to the International President for approval or modification; if said By-Laws are not in violation of this Constitution, International policy or applicable law they shall become effective after approval is given by the International President.

23.3.5 – Availability to Membership

Copies of the approved By-Laws or amendments will be made available to the membership.

23.4 – Local Lodge Officers and Their Duties

The officers of each Local Lodge shall consist of a President, Vice President, Secretary-Treasurer, Recording Secretary, Inspector, Board of Trustees comprised of three (3) members (one of whom shall be Chairman by virtue of receiving the highest vote cast), and Business Manager (or the equivalent) where one is required and can be supported on a part- or full-time basis as a salaried officer of the Local Lodge. A Lodge may combine offices where a combination of duties and responsibilities are compatible, if prior approval to do so is granted by the International President. Other positions in the Lodge may be filled by election or appointment as determined by this Constitution or Local Lodge By-Laws, except that Assistant Business Managers, Dispatchers, Stewards, or other full- or part-time salaried representatives and office help shall be appointed or dismissed by the elected officer under whom they are to work and who is primarily held responsible under this Constitution for the performance of the appointee’s official duties; however, such posi-
tions are not to be designated or considered offices as outlined above. Approval by the International President shall be necessary to appoint Assistant Business Managers. When approval is granted, the Business Manager shall furnish the International President with the name and register number of the member appointed.

23.5 – Duties of the President

It shall be the duty of the President to preside over and preserve order at all regular and special meetings; appoint all committees not otherwise provided for in this Constitution or in Local Lodge By-Laws; see that all officers, with the exception of Business Manager or Business Manager/Secretary-Treasurer, perform their respective duties; enforce all fines and penalties, and see that this Constitution and Local Lodge By-Laws and regulations and all instructions received from the International President are complied with. The President shall decide all questions of order subject to this Constitution and Local Lodge By-Laws. Unless otherwise provided in approved By-Laws, the President shall countersign all checks properly drawn on the treasury; provided, however, that where circumstances warrant, the International President is authorized to make exceptions to the foregoing. In case of a tie, the President may cast the deciding vote, but shall have the right to vote in any election of Lodge officers or delegates or on any other matter voted on by secret ballot.

23.6 – Duties of the Vice President

It shall be the duty of the Vice President to assist the President in the performance of the President’s duties and to oblige new members. In the absence of the President, the Vice President shall assume the duties and powers of the President.

23.7 – Duties of the Secretary-Treasurer

23.7.1 – General Duties

The Secretary-Treasurer shall receive all dues, field dues, District dues, fines, assessments, and all monies received from any source for the benefit of the Lodge (except such revenues as are payable to District Lodges directly under District Lodge By-Laws with which the Local Lodge may be affiliated), and deposit same in a bank of sound financial standing in the full and complete name of the Lodge. The Secretary-Treasurer shall keep a true account of all financial transactions of the Lodge in accordance with instructions from the International Secretary-Treasurer and make a report of such transactions under the proper order of business at each regular meeting. The Secretary-Treasurer shall, in conjunction with the Board of Trustees, submit on or before the 30th of each month following the close of each quarter, a financial report覆-
ing such quarter, on official forms (or a report by a Certified Public Ac-
ountant or a competent auditor approved by the International Presi-
dent, for that quarter if one has been made), to the International Secre-
tary-Treasurer. The Secretary-Treasurer shall maintain in the form re-
quired by the International Secretary-Treasurer a record showing the
name, last-known home address, membership standing, and other re-
quired information of each member in the Lodge. The Secretary-Trea-
surer shall submit on official forms a monthly membership report not
later than the 15th of the following month to the International Secretary-
Treasurer. The Secretary-Treasurer shall promptly inform the Business
Manager (or the equivalent) of all delinquencies in all dues. The Secre-
tary-Treasurer shall issue receipts for all monies collected from the mem-
bership in accordance with instructions from the International Secretary-
Treasurer. The Secretary-Treasurer shall transmit all District dues col-
lected to the Secretary-Treasurer of the District Lodge with which the
Local Lodge is affiliated. The Secretary-Treasurer shall pay all author-
ized operating expenses and bills and shall sign all checks issued on the
funds of the Local Lodge, but no authorization shall be required for cur-
rent, fixed, or recurring expenses (such as salaries, rent, office employ-
ees’ salaries, taxes, telephone, janitorial services, purchase of necessary
supplies, or other legitimate expenses when properly incurred). The Sec-
retary-Treasurer shall see that copies of this Constitution and Local
Lodge By-Laws are available to the membership of the Lodge. The Business
Manager and/or Secretary-Treasurer shall send to the International
President at least one (1) copy of all Lodge collective bargaining agree-
ments and wage scales immediately upon adoption (see Article 34.3).

23.7.2 – Availability of Records

The Secretary-Treasurer shall, upon request, make available to any
member for inspection a copy of any current annual report filed in com-
pliance with a statutory requirement. The Secretary-Treasurer shall,
upon the written request of any member setting forth good and suffi-
cient cause for requesting examination of any books, records, and ac-
counts necessary to verify any current annual report filed pursuant to
law, make arrangements to have the records desired available for in-
spection by said member during the regular business hours at the prin-
cipal office of the Lodge. In the event that the Secretary-Treasurer be-
lieves that just cause does not exist for the request made, the Secretary-
Treasurer may deny same. The member may then appeal the matter
within ten (10) days in writing to the International President.

23.7.3 – Maintenance of Records

The Secretary-Treasurer shall maintain records of the minutes of all
meetings of the Lodge and the Executive Board, as prepared by the
Recording Secretary or such person as is authorized to prepare the min-
utes, and shall keep important documents, papers, correspondence, as
well as files on contracts and agreements with employers, except where
this Constitution or the Lodge By-Laws impose this responsibility on
some other officer. The Secretary-Treasurer shall, if a person directly af-
fected by a collective bargaining agreement entered into by the Local
Lodge with an employer requests a copy of such agreement during reg-
ular business hours at the principal office of the Lodge, provide the re-
qusted copy and may require a receipt therefor.

23.7.4 – Retention of Records

Whenever a Secretary-Treasurer’s term of office shall expire or other-
wise be terminated, the Secretary-Treasurer shall give to the Secretary-
Treasurer’s successor all papers, documents, records, vouchers, work-
sheets, books, reports, money, and other union property that may have
been entrusted to the Secretary-Treasurer by virtue of the office and
shall be given an appropriate receipt therefor. Such records, vouchers,
worksheets, receipts, books, and reports shall be retained at the Lodge’s
principal office for a period of five (5) years.

23.7.5 – Distribution of Campaign Literature

Upon reasonable request of any bona fide candidate for office, the
Secretary-Treasurer shall arrange for the distribution of campaign liter-
ature by mail or otherwise, provided that in making such request the
candidate pays all cost involved in advance. The Secretary-Treasurer
shall require that all campaign literature be presented to the principal
office of the Lodge not later than five (5) days prior to the election and
may, where the volume of work involved exceeds the facilities and ca-
pacities of the employees of the Lodge, provide for a consolidation of
such distribution and the cost in the event of such distribution shall be
distributed on a pro rata basis.

23.7.6 – Retention of Requests for Distribution
of Campaign Literature

The Secretary-Treasurer shall retain for a period of one (1) year copies
of all requests for distribution of campaign literature; shall make and re-
tain copies of a record of the date the literature was distributed, the cost
thereof, and the amount received for such work and postage; a copy of
the notices of nomination and of the election; a copy of the ballot, the of-
official tally sheet, along with the ballots submitted by the tellers; and such
other records as shall relate to the conduct of the election.

23.8 – Duties of the Recording Secretary

The Recording Secretary’s duties shall be to keep a full and accurate
account of the records and minutes of each meeting and to maintain a
roster indicating attendance at regular monthly meetings.
23.9 – Duties of the Board of Trustees

The Board of Trustees shall make sure that the Secretary-Treasurer deposits in the full name of the Lodge in such bank, trust company, or savings institution, and for such security as the Lodge may direct, all monies of the Lodge which come into the Secretary-Treasurer’s possession. No money shall be drawn out of such depository unless the draft is countersigned by the President and the Secretary-Treasurer except as provided in Article 23.5. The Trustees shall audit the accounts of the Lodge quarterly, or as often as may be necessary. When any Lodge has liquid assets in its treasury in excess of the sum of One Hundred Thousand Dollars ($100,000.00), the Secretary-Treasurer shall so advise the Trustees, who shall engage to perform, or see that a Certified Public Accountant or competent auditor approved by the International President performs, any one of the following types of audits as directed by the International President: e.g., a Complete Audit, a Compilation Audit, or a Review Audit. In any Lodge where a Certified Public Accountant or competent auditor approved by the International President is utilized, the Trustees shall function as a Financial Committee to review Lodge expenditures. A copy of each audit shall be promptly forwarded to the office of the International Secretary-Treasurer and the International Vice President of the section; such audit will be in lieu of any quarterly financial report required by any other section of this Constitution.

23.10 – Duties of the Business Manager

The Business Manager (or the equivalent) shall be responsible for organizing, negotiating, and administering collective bargaining agreements, including the appointments of all collective bargaining-related committees, including, but not limited to, the negotiating committee, safety committee, Local apprenticeship committee, appointment of job stewards, and dispatching of job referral applicants. The Business Manager and/or Secretary-Treasurer shall send to the International President at least one (1) copy of all Lodge collective bargaining agreements and wage scales immediately upon adoption (see Article 34.3). The Business Manager (or the equivalent) shall in addition be empowered to transact all business and to manage and direct the affairs of the Lodge between membership meetings, except as otherwise may be provided in this Constitution. Business Managers (or the equivalent) shall, by virtue of their office, be delegates to International Brotherhood Conventions.

23.11 – Duties of the Inspector

It shall be the duty of the Inspector to see that all persons present in the Lodge meetings are members in good standing and that the Lodge property is properly cared for and preserved. The Inspector shall assist the Chairman in maintaining order.
23.12 – Local Lodge Executive Boards

A Local Lodge may, with the approval of the International President, designate the duly-elected officers of the Lodge as an Executive Board. The Executive Board as a body shall have no authority over any officer of the Local Lodge. It shall act in an advisory capacity only and its actions shall be confined to consideration and recommendations to the regular meetings of the Local Lodge on matters affecting the membership thereof. All matters considered by such Executive Board shall be submitted to the Lodge for action on each item separately. Any deviation from the provisions of this section must have the approval of the International President.

23.13 – Relinquishing Office

On relinquishing office, all officers shall hand over to their successor all books, monies, papers, paraphernalia, and other properties of the Lodge in their possession.

ARTICLE 24
MEMBERSHIP

24.1 – Qualifications

An applicant for membership in this Brotherhood shall be one who has reached the minimum working age prescribed by statutory laws regardless of race, creed, color, sex, or national origin and who is working at some branch of the trade or employed in a shop, plant, or industrial facility where the International Brotherhood has jurisdiction at the time of making application as provided in Article 11, and who, if a former member, has been suspended from membership for non-payment of dues for more than forty-eight (48) continuous months.

No applicant for membership shall be considered eligible who is a member of the Communist Party or of any other subversive group, or who subscribes to the doctrines of any such groups, or who is not working within the jurisdiction of the Local Lodge processing the application for membership.

No applicant shall be admitted to membership if such applicant is found to hold membership in any other International union engaged in the construction industry, where jurisdiction claims infringe on this Brotherhood. An applicant shall become a member of the International Brotherhood when the applicant’s signed application and fee are received and approved by the International President and recorded in the office of the International Secretary-Treasurer. This provision shall not apply to any applicant who has a penalty standing in any Local Lodge and such penalty must be cleared before such applicant is accepted and recorded.
24.2 – Application

All applications for membership shall be made on official forms furnished by the International Secretary-Treasurer and must indicate the applicant’s Social Security number, be signed by the applicant, and be attested to by the Secretary-Treasurer of the Local Lodge. Such applications shall be for Mechanic, Helper, Apprentice, Trainee (where such classification is in the applicable labor agreement), Production Worker, or Office-Professional-Technical Worker, as shall be determined by the Local Lodge.

24.3 – Change of Classification

Requests for changes in classification shall be made on forms furnished by the International Secretary-Treasurer and, upon approval by the Secretary-Treasurer of the Local Lodge, shall be forwarded by the Local Lodge Secretary-Treasurer to the International Secretary-Treasurer.

24.4 – Apprenticeship

Apprenticeship qualifications, rules, and ratio shall be as set forth under bona fide collective bargaining agreements or by Area Apprenticeship Committees and/or the National Apprenticeship Board.

24.5 – Termination of Membership Rights

Member rights, except as otherwise specifically provided in this Constitution, shall terminate for any of the following reasons:

24.5.1. Expulsion or suspension;
24.5.2. Obtaining and holding a Withdrawal Card as provided in this Constitution.

24.6 – Modification of Membership Rights

Membership rights, except as otherwise specifically provided in this Constitution, may be modified or curtailed for disciplinary purposes pursuant to disciplinary proceedings under this Constitution.

ARTICLE 25

NOMINATION AND ELECTION OF LOCAL LODGE OFFICERS

25.1 – Nominations

The nominations of officers of each Local Lodge shall be held at the regular May meeting of established election years, unless otherwise approved by the International President. Members nominated must be present to accept the nomination, unless prevented by official union duties, sickness, or some other unavoidable circumstances; provided, however, that in the case of any such absence, the member desiring to
be nominated shall notify the Lodge in writing that the member is fa-
miliar with and in compliance with all eligibility requirements and will
accept if nominated.

25.1.1. Quorum requirements shall not be enforced at any nomina-
tion meeting.

25.2 – Time of Election

The election of officers shall be held at the June meeting, unless oth-
erwise approved by the International President; provided, however,
that in cases of a special election date the election shall be held during
the month of June in such election years.

25.2.1. Quorum requirements shall not be enforced at any election
meeting.

25.3 – Member’s Rights and Notification

Every member in good standing shall have equal rights to nominate
and vote for officers, except as provided in Articles 25.6 and 27.2.1. Fif-
teen (15) days written notice of nomination, and thirty (30) days written
notice of election for other than filling of vacancies, shall be given stating
time, date, and place. Notice of nomination and election may be given in
a combined notice at least fifteen (15) days prior to date of nomination.
Such notice will be mailed to the last-known home address of each mem-
ber in good standing. Members whose dues have been checked off with
their voluntary authorization under a labor agreement with the Local
Lodge may not be disqualified from voting or being a candidate by rea-
son of alleged delay or default in the payment of dues. All members shall
have the right to support the candidate or candidates of their choice.

25.4 – Eligibility for Local Lodge Officers

25.4.1 – Requirements

To be eligible for nomination and election as an officer of a Local
Lodge, a member shall be:

25.4.1.1. Actively working under the jurisdiction of the International
Brotherhood or actively seeking and available for work under the juris-
diction of the International Brotherhood for at least twelve (12) months
immediately prior to nomination date, or a full-time salaried officer or
representative of the International Brotherhood or of a subordinate
body thereof, or of the AFL-CIO, CLC, or any department thereof, or is
on authorized leave of absence from any such position;

25.4.1.2. Free from delinquency of every nature to the International
Brotherhood;

25.4.1.3. In continuous good standing in the International Brother-
hood and the member’s Local Lodge for a period of at least two (2)
years immediately prior to the time of nomination, excepting at date of
nominations in Lodges chartered less than two (2) years there shall be no length of membership eligibility requirements;

25.4.1.4. Shall have attended regular meetings of the Lodge as required by Local Lodge By-Laws to establish eligibility.

There shall be no deviation from the foregoing eligibility requirements for Local Lodge office without prior approval of the International President.

25.4.2 – Apprentices and Trainees

Apprentices and construction trainees shall not be eligible to hold any Lodge office until they have satisfactorily completed their apprenticeship or training program.

25.4.3 – Transferred Members

Members of consolidated Lodges who have transferred their membership shall carry their membership rights, including their eligibility rights, with them to the Lodge to which they are transferred. Members directed by the International President to transfer their membership from one Lodge to another because of the former’s charter having been revoked and the Lodge thereby disestablished, shall carry their membership rights, including their eligibility rights, to the Lodge to which they are transferred.

25.4.4 – Acceptance of Nomination

At time of nomination a member who is nominated shall be required to make a statement that the nominee understands the eligibility requirements as set forth in this Constitution and the Local Lodge By-Laws and that the nominee meets those eligibility requirements for nomination; further, if it is later found that the nominated member committed perjury, that member shall be automatically disqualified and shall be subject to the disciplinary procedure of Article 17.

25.4.5 – Eligibility

No member shall be eligible to hold office in the Local Lodge or represent its members in any capacity who is:

25.4.5.1. Not working or actively seeking to work within the jurisdiction of the International Brotherhood; or

25.4.5.2. Retired; or

25.4.5.3. Holding regularly or on a probationary basis a supervisory position with authority to hire, promote, discharge, discipline, or otherwise effect changes in the status of employees, or effectively recommend such action; however, Article 25.4.5.3 shall not be interpreted to include members who intermittently or at irregular intervals are employed as general foremen, foremen, or assistant foremen covered by a collective bargaining agreement; or
25.4.5.4. Maintaining membership in another labor organization where there is a possible conflict in interest; or

25.4.5.5. Employed at an occupation not represented by or under the jurisdiction of the International Brotherhood.

There shall be no deviation from the foregoing without prior approval of the International President.

25.5 – Objections

Objections to nominations based on eligibility shall be made at the nominating meeting and shall be forthwith ruled on by the Local Lodge President or presiding officer. The Secretary-Treasurer shall, insofar as practicable, have available for reference such records as are necessary to establish eligibility.

Any member who is ruled ineligible for nomination, or a member who challenges the eligibility of a nominee, may appeal the ruling of the Local Lodge President or presiding officer to the International President or the International President’s designee. Appeals to the International President or the International President’s designee shall be by registered mail, certified mail, courier service, facsimile transmission or email to be mailed or transmitted within two (2) days following the date of the nominating meeting excluding Saturdays, Sundays, or holidays. The International President or the International President’s designee shall decide the appeal within seven (7) days after receipt thereof, which decision shall be final and binding.

25.6 – Eligibility to Vote

A member to be entitled to nominate a candidate or to vote in any Local Lodge election must have been in good standing in such Local Lodge for at least two (2) months immediately prior to such date of nominations and/or elections as recorded in the office of the International Secretary-Treasurer. Each Local Lodge Secretary-Treasurer shall prepare, on the basis of the records available, a list of eligible voters for the Election Committee. The Election Committee shall not permit any member to vote who has not been properly identified and whose eligibility has not been established.

25.7 – Conduct of Election

25.7.1 – Secret Ballot Election

The election shall be conducted by secret ballot. There shall be no proxy or write-in votes. Election ballots may be printed. When printed ballots are used in elections, only the names of the nominees (which may include nicknames shown in parentheses) and the office for which they are candidates shall be listed thereon. Incumbents may be indicated by asterisks. Regardless of the number of nominees aspiring to
the same office, the nominee receiving the highest number of votes shall be declared elected. It will not be required that unopposed candidates be elected by secret ballot, but may be declared elected by acclamation.

In cases where a Local Lodge has territorial jurisdiction outside the immediate area of the city or town in which it holds its regular meetings, election of Local Lodge officers specified in this Constitution and Delegates to the International Brotherhood Convention may be by mail ballot in accordance with the procedures prescribed by the International President. In all other cases where the election is to be held at a regular or special meeting, absentee ballots for members unable to attend the meeting may be used upon request in writing to the Secretary-Treasurer of the Local Lodge, received twenty (20) days in advance of the election. The International President may, upon request of any Local Lodge or where conditions warrant, authorize or direct a mail ballot, which shall be conducted in accordance with instructions issued by the International President.

25.7.2 – Observers

Each candidate shall have the right to have an observer, who must be a member of the Local Lodge, at the polls and at the counting of the ballots.

25.7.3 – Election Committee

The President shall appoint an Election Committee not to exceed seven (7) impartial members, unless otherwise approved by the International President. The members of the Election Committee shall select a Chairman. The Election Committee shall make all arrangements for and conduct the election. The members of the Election Committee shall act as tellers and shall conduct the election in a just and impartial manner.

25.7.4 – Certification of Results

After the counting of the ballots, the Election Committee shall certify the results and conduct of the election on a form furnished by the International Secretary-Treasurer.

25.8 – Challenges and Objections

25.8.1 – Challenges

Candidates and/or observers may challenge the eligibility of any voter which shall be done prior to voting. Any person challenged shall be permitted to vote and that person’s ballot shall be retained by the Election Committee pending determination as to its validity.

The Election Committee shall investigate all challenges of eligibility
of voters and rule thereon in writing as promptly as possible, but in no event later than four (4) days following the date of the election.

Appeals from the ruling of the Election Committee on eligibility of voters shall be filed with the International President by the appealing party in writing with copy to the Election Committee, by registered mail, certified mail, courier service, facsimile transmission or email to be mailed or transmitted within five (5) days of the date of the ruling excluding Saturdays, Sundays, and holidays. The Election committee, within two (2) days of receipt of copy of the appeal, shall furnish all available information to the International President. Based on the information received, the International President shall make a decision within seven (7) days of receipt of the information, which decision shall be final and binding.

25.8.2 – Objections

Any objections to the conduct and/or validity of the election shall be filed with the Election Committee by the candidate or the candidate’s observer in writing within two (2) days of the close of the election, excluding Saturdays, Sundays, and holidays, setting forth in detail reasons for such objections.

The Election Committee shall investigate all objections to the conduct and/or validity of the election and shall rule on such objections in writing as promptly as possible, but in no event later than four (4) days following receipt of the objections excluding Saturdays, Sundays, and holidays.

Appeals from the ruling of the Election Committee on objections to the conduct and/or validity of the election shall be filed with the International President by the appealing party in writing with copy to the Election Committee, by registered mail, certified mail, courier service, facsimile transmission or email, to be mailed or transmitted within five (5) days of the date of the ruling excluding Saturdays, Sundays, and holidays. The Election Committee, within two (2) days of receipt of copy of the appeal, shall forward their ruling with all available information to the International President. Based on the information received, the International President shall make a decision within seven (7) days of receipt of the information, which decision shall be final and binding.

25.9 – Term of Office

25.9.1 – United States

The term of all officers for Local Lodges shall be for three (3) years from July 1st of such election year and until their successors are elected and assume office. There shall be no deviation from this unless approved by the International President, but in no event shall the term of office be for less than two (2) years.
25.9.2 – Canada

The term of office for Local Lodges shall be for five (5) years from July 1st of such election year (2003) and until their successors are elected and assume office. There shall be no deviation from this unless federal or provincial laws dictate otherwise.

25.10 – Use of Lodge Funds in Elections

No Lodge funds and no money of an employer may be used to promote the candidacy for Lodge office of any member. The Local Lodge may expend such funds as necessary for notices, factual statements of issues not involving candidates, and other expenses necessary for the holding of elections.

25.11 – Distribution of Campaign Literature

The Local Lodge shall, up until five (5) business days prior to the election, comply with reasonable requests of bona fide candidates to distribute campaign literature, by mail or otherwise, at the candidates’ expense with equal treatment as to expense and administration of such distribution. No such request need be complied with unless the candidate making same shall pay all costs involved in advance. Every bona fide candidate shall have the right, once within thirty (30) calendar days prior to the election, to inspect, but not copy, a list containing the names and last-known addresses of all members of the Lodge who are covered by an agreement requiring membership in the Lodge as a condition of employment. Such list shall be maintained and kept for inspection at the principal office of the Lodge by the Secretary-Treasurer of the Lodge.

25.12 – Preservation of Election Records

The Chairman of the Election Committee shall turn over ballots and all other records pertaining to the election to the Local Lodge Secretary-Treasurer, who shall preserve the same for a period of one (1) year.

25.13 – Installation of Officers

The officers, when legally elected, shall be installed in office at the first regular meeting in July or at a special meeting called prior thereto by a past President or members designated by a vote of the Local Lodge, but shall assume the duties and responsibilities of office July 1 of such election year. If any elected officer fails to appear for installation, unless prevented by official union duties, sickness, or some unavoidable occurrence, the office to which the member has been elected may be declared vacant by the installing officer and in such event the vacancy shall be filled as provided in this Constitution.
25.14 – Absence from Meetings
Any officer absent from three (3) successive regular Local Lodge meetings shall have that office declared vacant, unless such officer is excused by the Local Lodge or the International President, and any such vacancy shall be filled as provided in this Constitution.

25.15 – Equal Rights
All members of the International Brotherhood shall have equal rights and privileges in the Local Lodge meeting except as provided in Articles 25.6 and 27.2.1.

25.16 – Filling of Vacancies
All vacancies in Local Lodge offices shall, for the remainder of the term, be filled by nomination and election at a regular or special meeting, or nominations may be held at one meeting and election the following meeting (except as otherwise provided in approved Lodge By-Laws), except that until such vacancy is filled, the President (or if there is a vacancy in the office of President, the Vice President) shall make an interim appointment to fill such vacancy.

ARTICLE 26
SHOP COMMITTEE’S AND SHOP STEWARD’S DUTIES AND AUTHORITY

26.1 – Appointment
Shop Committee and Shop Stewards shall be appointed by the Business Manager, or if there is no Business Manager by the President, unless otherwise provided for in the Local Lodge By-Laws.

26.2 – Function and Responsibility
26.2.1 – Function
The function of the Shop Committee and Shop Stewards shall be to safeguard the interests of the membership of the International Brotherhood represented and to administer the Lodge’s collective bargaining agreements and/or such other duties as may be set forth in the approved Local Lodge By-Laws. They shall be under the direction of the District or Local Lodge subject to the provisions of this Constitution and Lodge By-Laws.

26.2.2 – Responsibility
Shop Committees and Shop Stewards shall be responsible for maintaining one hundred percent (100%) membership in the union among employees represented. Shop Committees and Shop Stewards shall
work actively to build the union and shall do all in their power to en-
courage membership participation in union affairs, including atten-
dance at union meetings and functions and membership participation
in Legislative Education Fund (LEF) and Campaign Assistance Fund
(CAF).

ARTICLE 27
MEETINGS OF LOCAL LODGES

27.1 – Time
The regular meetings of each Local Lodge shall be held once each
month on the day and hour designated in the approved Lodge By-Laws
unless otherwise approved by the International President. Special
meetings may be called by the President on written request of not less
than five (5) members in good standing of which due notice shall be
given. Announcement of any special meeting shall briefly outline the
purpose for which it is called and every effort shall be made to inform
all the members that the same is to be held.

27.2 – Membership Rights

27.2.1 – Members in Good Standing and Exceptions
All members in good standing of the Local Lodge shall be entitled to
be seated and to participate in the Local Lodge meetings, vote in elec-
tions, have the right to express their views, arguments, or opinions
upon any business properly before the meeting subject to this Constitu-
tion and the Local Lodge By-Laws with the following exceptions:

27.2.1.1 – Supervisors
Members regularly employed in supervisory positions and who are
not covered by collective bargaining agreements.

27.2.1.2 – Employed Outside the Trade
Members who are employed outside of the jurisdiction of the Inter-
national Brotherhood and who are not available for or seeking employ-
ment under the jurisdiction of the International Brotherhood and their
Local Lodge except those members actively representing the Interna-
tional Brotherhood or any subordinate body thereof, or the AFL-CIO,
CLC, or any department thereof.

27.2.1.3 – Retirees
Members who are retired from the trade shall be permitted to attend
Local Lodge meetings without voice or vote but may, by the consent of
the Local Lodge, speak on the welfare of the union.
27.2.1.4 – Visiting Members

Visiting members in good standing shall be permitted to attend regular Local Lodge meetings without voice or vote.

No member in exercising such rights shall act improperly, evade or avoid responsibility to the organization as an institution, or engage in or advocate any conduct that would interfere in the organization’s performance of its legal or contractual obligations or functions.

27.2.2 – International Officers and Representatives

Notwithstanding the provisions of Article 27.2.1, International Officers or Representatives shall have the right to participate in any subordinate body meetings to the extent necessary to carry out their duties or any assignment by the International President.

27.3 – Constitutional Quorum

Not less than seven (7) members shall constitute a quorum for the transaction of business except five (5) members shall constitute a quorum in Lodges of fifty (50) members or less.

27.4 – Visiting Members Identification

Visiting members shall present a Local Lodge monthly dues receipt, initiation receipt, or combination monthly dues and reinstatement receipt showing such members to be in good standing in their respective Local Lodge.

27.5 – Limitation on Speaking

No member shall be allowed to speak longer than five (5) minutes on any one subject in any meeting of the Local Lodge without permission of the Local Lodge and such member shall stop speaking and sit down upon being called to order by the presiding officer.

ARTICLE 28

INITIATION FEES AND DUES

28.1 – Initiation Fees

28.1.1 – Limitations

The initiation fee shall be determined by the Local Lodge, but shall be not less than Twenty-Five Dollars ($25.00) and in no event shall be more than One Thousand Dollars ($1,000.00). Arrangements for payment of initiation fees by installments may be made in accordance with approved Local Lodge By-Laws or an applicable collective bargaining agreement. When a Local Lodge collects the initiation or reinstatement fees in installments, the first installment shall be equal to the amount due the International, and remitted to the office of the International Sec-
retary-Treasurer. Any monies paid toward an incomplete initiation shall
be forfeited by the applicant.

**28.1.2 – Special Dispensations**

The International President shall have the authority to grant a special
dispensation reducing initiation and reinstatement fees for special cases,
where organizing activities are in progress or are contemplated, for such
period of time as may be determined by the International President.

**28.1.3 – Reciprocal Agreements**

Any applicant for membership, who presents acceptable evidence of
current good standing in some other labor organization with which the
International Brotherhood has a reciprocal agreement, may be admitted
to membership upon the payment of one (1) month’s dues to the Local
Lodge having jurisdiction where the applicant is working and upon ex-
ecuting an official application for membership.

**28.1.4 – Difference in Initiation Fees**

A member with less than four (4) years of continuous membership,
who becomes employed on work for which a higher initiation (or rein-
statement) fee than the member paid is applicable, shall be required to
pay the difference in the two (2) fees. The Local Lodge, upon receipt of
the difference in the fees, shall transmit to the International Secretary-
Treasurer the difference in the amounts payable to the International
Brotherhood as set forth in Article 12.2.1. This Article shall not apply to
subordinate Lodge consolidations.

**28.1.5 – Deviations**

Any deviations from Article 28.1.1 must have prior approval of the
Executive Council.

**28.2 – Dues**

**28.2.1 – When Payable**

All monthly dues shall be payable on the first day of each month and
should be paid monthly in advance. Minimum monthly dues shall be
Thirty-Eight Dollars and Fifty-Five Cents ($38.55) and this amount shall
be increased in the same amount and as of the same date as any in-
crease in the Lodge monthly dues provided for in Article 28.2.2.

**28.2.2 – Annual Increases**

Local Lodge monthly dues shall be increased every January 1 by an
amount equal to two (2) times the amount of any increase in the
monthly Per Capita Tax as determined in accordance with Article 12.2.2
of this Constitution with the Local Lodge and the International Brother-
hood to share equally this increase in Lodge monthly dues. The Interna-
tional President, upon receipt of a Local Lodge request to waive the in-
crease in monthly dues to be retained by the Local Lodge, may grant
such request if so warranted by the Lodge’s financial condition.

28.2.3 – Eligibility for Financial Assistance

In accordance with Article 7.8 of this Constitution, for a Local Lodge
to be eligible for financial assistance, members of that Local Lodge must
be paying the minimum dues as provided for in Article 28.2, plus One
Dollar ($1.00) per month.

28.2.4 – Deviations

Any deviations from Article 28.2.1 must have the prior approval of
the Executive Council after receipt of a recommendation from the Inter-
national President.

28.3 – Service Charges

28.3.1 – Permit Fees Prohibited

No “permit fees” shall be collected, but nothing in this section shall
prevent the exchange of members as between subordinate bodies of
this Brotherhood or other organizations and the payment of appro-
rate working dues required of members.

28.3.2 – Non-Member Per Capita Tax

In any agency shop, Rand Formula or other similar arrangement, or
with regard to any Lodge with field construction jurisdiction which re-
ceives payments pursuant to Article 28.3.1, the International Brother-
hood shall receive an amount equal to a member’s monthly Per Capita
Tax from all non-member employees.

ARTICLE 29

SUSPENSION AND REINSTATEMENTS

29.1 – Suspension for Non-Payments

Whenever any member’s monthly dues, assessments, or fines be-
come two (2) calendar months in arrears, that member shall be auto-
matically suspended from all rights, privileges, and benefits of the In-
ternational Brotherhood. No monthly dues shall be accepted until all fi-
ancial obligations owed to the Brotherhood or any subordinate body
such as field dues, District Lodge dues, fines, or assessments have been
paid. However, employment status governed by a valid union security
clause is to be affected only in the event of a failure to tender the peri-
odic dues and the initiation fees uniformly required as a condition of
acquiring or retaining membership.
29.2 – Reinstatement of Members Suspended for Non-Payments

In order for the former member to be recorded again in good standing, that member shall, if suspended for less than forty-eight (48) continuous months, personally make application for reinstatement with the Lodge having jurisdiction where the member is working and shall be obligated to pay, in addition to any financial delinquencies, a reinstatement fee in an amount determined by the subordinate body; such fee, however, to be not less than Twenty-Five Dollars ($25.00) and not more than One Thousand Dollars ($1,000.00). Arrangements for the payment of reinstatement fees by installments may be made in accordance with approved Local Lodge By-Laws or an applicable collective bargaining agreement. When a Local Lodge collects the initiation or reinstatement fees in installments, the first installment shall be equal to the amount due the International, and remitted to the office of the International Secretary-Treasurer. Any fees paid to apply on reinstatement fees shall be forfeited in the event payment for such reinstatement is not completed. The application for reinstatement shall show the full amount of the Lodge reinstatement fee and the applicant’s Social Security number, and be signed by the applicant and attested to by the Secretary-Treasurer of the Local Lodge. Any deviations from this section must have the prior approval of the Executive Council.

29.3 – Reinstatement of Expelled or Other Suspended Members

Any member who is expelled or suspended from any Local Lodge for any reason other than the nonpayment of dues, and recorded as such in the International Secretary-Treasurer’s office, shall not be accepted as a member of any Local Lodge unless such Local Lodge shall:

29.3.1. First secure the consent of the Local Lodge so suspending or expelling the member;

29.3.2. Collect such fines, assessments and dues as may be outstanding against the member plus the prescribed reinstatement fee;

29.3.3. Promptly forward such sum to the Local Lodge from which the member came; and

29.3.4. Obtain the approval of the International President except in those situations where the member has been expelled or suspended by action of the Executive Council in which event its approval must be obtained. The requirements of this section shall be complied with fully before such a reinstatement into membership shall become effective.

ARTICLE 30

TRAVELING CARDS

30.1 – Issuance of Traveling Cards

Any member leaving the jurisdiction of that member’s Local Lodge for employment elsewhere shall apply for a Traveling Card to the Secre-
tary-Treasurer of the Local Lodge who shall issue such Traveling Card
to such member only after clearing through the Business Manager’s of-
fice where one is maintained. Such Traveling Card shall serve as an
identification card for the member and shall entitle the member to
recognition as a member in good standing when accompanied by an of-
official paid-up dues receipt signed by the Secretary-Treasurer of the
Local Lodge issuing such card.

A member on a Traveling Card shall maintain membership in the
Local Lodge from which such card was obtained and shall retain all
rights of membership in that Lodge, including the right to run for and
hold office, vote, and participate in the meetings of said Lodge subject
to the provisions of Articles 25.4 and 25.6. Such members may attend
other Local Lodge meetings in the area where they are traveling or
working, but without right to voice or vote.

All Traveling Cards shall be supplied by the International Secretary-
Treasurer, and upon being issued by the Secretary-Treasurer of the
Lodge, shall coincide with dues receipts in all particulars.

A Traveling Card shall not be issued to any member until all fines,
assessments, dues, District Lodge dues, and field dues have been paid
for the month in which such card is issued.

30.2 – Deposit of Traveling Cards

A member on a Traveling Card securing employment under the juris-
diction of any Lodge shall immediately deposit said card with the Busi-
ness Manager where such office exists or in the absence of such office with
the Secretary-Treasurer of the Lodge. Such officer shall accept the Travel-
ing Card and it shall be held for the period of the member’s employment
in the jurisdiction of the Lodge subject to the provisions of Article 30.3.

30.3 – Return of Traveling Card

At any time that a member on a Traveling Card loses employment in
the area within the jurisdiction of the Local Lodge where that member’s
Traveling Card is being held, the Secretary-Treasurer of such Lodge
shall return the Traveling Card to such member if the Secretary-Treas-
urer has determined that all financial obligations to the Brotherhood
have been paid. If any such obligations have not been paid, the Secre-
tary-Treasurer shall return such card to the Secretary-Treasurer of the
Local Lodge from which such card was obtained, who shall collect the
indebtedness from said member and forward the monies to the Local
Lodge where the financial obligations occurred.

30.4 – Maintenance of Membership

It shall be the duty of the Local Lodge holding a member’s Traveling
Card to see that the member maintains all membership obligations. A
member on a Traveling Card shall pay field dues as set forth in the ap-
proved By-Laws of the Local and/or District Lodge under whose juris-
diction said member is working.

**30.5 – Reciprocal Agreements**

The issuance, deposit, and acceptance of Traveling Cards as required
by this Article shall not apply where reciprocal working agreements,
which have been approved by the International President, exist between
subordinate bodies. Where circumstances warrant, the International
President is authorized to establish reciprocal working agreements.

**ARTICLE 31**

**TRANSFER OF MEMBERSHIP**

**31.1 – Requirements**

**31.1.1 – Application for Transfer of Membership**

A member working in the jurisdiction of a Local Lodge on a Travel-
ing Card may at any time apply for transfer of membership to the
Lodge in which the Traveling Card is deposited and such Lodge may
accept such transfer application by vote of the membership or as pre-
scribed in approved Lodge By-Laws.

**31.1.2 – Automatic Acceptance of Application**

A Lodge shall automatically accept an application for a transfer of
membership when:

31.1.2.1. The member has worked under the jurisdiction of the
Lodge for a period of 8,000 hours; and
31.1.2.2. The member can demonstrate permanent residence in a
place located within the Lodge’s geographical jurisdiction.

**31.1.3 – Required Transfer**

Unless otherwise provided in approved Lodge By-Laws, a member
on a Traveling Card, who has had said card on deposit in a Lodge for
ninety (90) days, may be required to transfer membership into such
Lodge. If it is so determined, it shall be the duty of the member to re-
quest transfer of such membership.

**31.1.4 – Eligibility for Transfer Card**

A Transfer Card shall not be issued for any member until all fines, as-
sements, dues, District Lodge dues, and field dues have been paid for
the month in which such card is issued.

**31.2 – Notification of**

**International Secretary-Treasurer**

When a transfer of membership is made from one Local Lodge to an-
other, the Secretary-Treasurer of the Local Lodge receiving such transfer shall immediately notify the International Secretary-Treasurer of such transfer. The International Secretary-Treasurer shall furnish Local Lodges Transfer Cards in such form as may be required to obtain the necessary information concerning the member.

ARTICLE 32
WITHDRAWAL, SERVICE, AND RETIREMENT CARDS

32.1 – Issuance of Withdrawal Cards

A member who desires to withdraw from the International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers, and Helpers for the purpose of going into business or entering another occupation not coming under the established work jurisdiction of any division of the International Brotherhood shall make application for a Withdrawal Card to the member’s Local Lodge. The Local Lodge shall grant the member a Withdrawal Card; provided, however, such member has been a member in good standing in the International Brotherhood for at least three (3) months and is not indebted to the Local Lodge.

Withdrawal Cards must be renewed after being in effect for a period of six (6) months, but less than forty-eight (48) months. The cost of each renewal shall be Twenty Dollars ($20.00), of which Ten Dollars ($10.00) shall be retained by the Local Lodge. The initial renewal period, and all subsequent renewals, shall be for a period of forty-eight (48) months from the last month of issuance.

Withdrawal Cards shall be prepared in triplicate form: one (1) part shall be issued to the member withdrawing; one (1) part shall be deposited in the records of the Local Lodge; and one (1) part shall be forwarded to the International Secretary-Treasurer for recording at International Headquarters. The cost of the Withdrawal Card shall be in an amount equal to two (2) times the Withdrawal Card charge set forth in Article 12.2.1 with the Local Lodge and the International Brotherhood to share equally in this amount. Any deviation must have the approval of the International President.

32.2 – Deposit of Withdrawal Cards

32.2.1 – Deposit/Revocation of Withdrawal Card

A former member holding a Withdrawal Card who returns to employment within the established work jurisdiction of the International Brotherhood in either an organized or unorganized facility, shall immediately deposit such Withdrawal Card with the Business Manager or Secretary-Treasurer of the Local Lodge having territorial jurisdiction over the facility. Failure on the part of a former member to deposit the
Withdrawal Card shall cause it to be automatically cancelled or revoked.

32.2.2 – Monies Payable Upon Deposit of Withdrawal Card

Any former member who has held a Withdrawal Card for six (6) months or less, shall pay to the Local Lodge in which the Withdrawal Card is deposited all dues and assessments which have accrued since the issuance of the Withdrawal Card, and said deposit within six (6) months shall cause the Withdrawal Card to be cancelled and shall not constitute a break in membership. If the former member has held such Withdrawal Card for more than six (6) months, the former member shall pay one (1) month’s dues and assessments, if any, for the month in which the Withdrawal Card is deposited.

32.2.3 – Per Capita Remittal to International Secretary-Treasurer

After the Withdrawal Card is accepted, the original Withdrawal Card, along with a completed application for membership, shall be forwarded to the International Secretary-Treasurer together with the Per Capita Tax for each month for which the Withdrawal Card has been held for six (6) months or less. If the Withdrawal Card has been held for more than six (6) months, the application shall be accompanied by one (1) month’s Per Capita Tax.

32.2.4 – Dues Receipt

A Local Lodge monthly receipt for the month in which the Withdrawal Card is deposited shall be issued by the Local Lodge Secretary-Treasurer. A duplicate of this receipt shall be forwarded by the Local Lodge Secretary-Treasurer to the International Secretary-Treasurer, at which time the member shall be entitled to all the benefits and privileges of the International Brotherhood provided for in this Constitution.

32.3 – Issuance of Service Cards

Any member of the International Brotherhood who enters the armed forces shall, upon application to the Local Lodge Secretary-Treasurer, receive a Service Card. The said Service Card shall provide for continuous membership standing for so long as such member shall remain in the armed forces.

32.4 – Deposit of Service Cards

Any member of the International Brotherhood who has received a Service Card shall, within ninety (90) days of retirement or discharge from the armed forces and regardless of employment status, present the Service Card and discharge from the armed forces to the Secretary-Treasurer of the issuing Local Lodge and sign an application for membership and pay one (1) month’s dues. The Secretary-Treasurer shall for-
ward such application, with Service Card and proof of discharge, to-
together with one (1) month’s Per Capita Tax to the International Secre-
tary-Treasurer.

32.5 – Retired Member’s Card

Members of the International Brotherhood who are in good standing
and are:

32.5.1. Retired and receiving a pension under the Social Security
Act, Railroad Retirement Act, or other Governmental legislation; or
32.5.2. Retired and receiving a pension under a collective bargaining
agreement negotiated by the International Brotherhood or a subordi-
nate body; or
32.5.3. Disabled and receiving a disability benefit under the Social
Security Act, Railroad Retirement Act, or other Governmental legisla-
tion; may be exempt from payment of dues provided such members
apply for exemption through their Local Lodge and the same is ap-
proved by the International President. When approved, the Interna-
tional President shall issue a life-time membership card to such mem-
ber, same to remain valid as long as the member is retired from all gain-
ful employment under the provisions of Articles 32.5.1, 32.5.2, or 32.5.3.
Retired exempt members will be permitted to attend Local Lodge
meetings without voice or vote and, if requested by the International
Brotherhood or Local Lodge, may act in any official capacity.

ARTICLE 33

SALARY ADJUSTMENTS

33.1. The salary set forth in Article 7.3 shall be increased by five per-
cent (5%) on August 1, 2007, and August 1 of each year thereafter; un-
less the Executive Council determines the overall financial condition of
the Brotherhood’s consolidated funds do not warrant same. In that situ-
ation, the Executive Council may approve a lesser amount as it deems
appropriate.
33.2. Effective August 1, 2006, all International Representatives and
staff shall receive not less than a five percent (5%) wage increase. On
each August 1 thereafter, International Representatives and staff shall
receive not less than the wage increase as provided for in Article 33.1.

ARTICLE 34

MISCELLANEOUS

34.1 – Use of Funds

The funds of any subordinate body shall be used only for the pur-
pose of said body as specifically set forth in this Constitution and its ap-
proved By-Laws. Salaries, expenses, and allowances of subordinate
body officers shall be set forth in approved By-Laws. A subordinate
body must have prior approval of the International President for the
purchase, sale, lease, or remodeling of real or personal property, except-
ing the necessary office equipment and maintenance for normal opera-
tions in the administration of a subordinate body. All subordinate bod-
ies of the International Brotherhood of Boilermakers are hereby di-
rected to do all their banking, as reasonably practicable, as determined
by the International President, with the Brotherhood Bank & Trust.

34.2 – Title to Funds and Property

The funds and property of a subordinate body are trust funds for the
benefit of its members and shall not be divided in any manner among
the members of the subordinate body. Upon the surrender, forfeiture, or
revocation of its charter other than through consolidation, all funds be-
longing to such subordinate body shall be forwarded promptly to the
International Secretary-Treasurer and all real estate and other property
owned or held by such body shall be immediately transferred and con-
veyed by the proper legal instrument to the International Board of
Trustees of the International Brotherhood. The International Brother-
hood, through its Board of Trustees, shall be authorized to sell and liq-
uidate such real estate and other property and the proceeds arising
therefrom, after the payment of expenses incurred, shall be deposited
with the other funds so forwarded to the International Secretary-Trea-
surer. All such funds shall revert to the General Fund of the Interna-
tional Brotherhood with proper record of the transfer maintained by the
International Secretary-Treasurer. In the event such subordinate body
should ever be rechartered at that location, the Executive Council is au-
thorized to give approval to the transfer of an amount not to exceed
fifty percent (50%) of such funds from the General Fund to the credit of
the rechartered subordinate body.

34.3 – Filing of Agreements

It shall be the duty of all District and Local Lodge Business Managers
and/or Secretary-Treasurers, as the case may be, to send to the Interna-
tional President at least one (1) copy of all Lodge collective bargaining
agreements and wage scales immediately upon adoption. No collective
bargaining agreement entered into by any subordinate body with any
employer, or group of employers, shall be binding upon the Interna-
tional Brotherhood unless expressly agreed to and signed by the Interna-
tional Brotherhood through a duly authorized representative.

34.4 – Recognition of Membership

Any member or any Local Lodge that refuses to recognize a paid-up
card of a member of the International Brotherhood who was legiti-
mately initiated or reinstated, may have the member’s card or the Local
Lodge’s charter revoked as determined by the International President and the Executive Council.

34.5 – Affiliation Requirements

In any community where an AFL-CIO or CLC Central Body, State Federation of Labor, State or Provincial Building and Construction Trades Council, Local Building and Construction Trades Council, Metal Trades Council, or Maritime Trades Council exists, subordinate bodies in the interest of effective unionism are urged to affiliate with such subordinate bodies and they shall affiliate if so instructed by the International President.

34.6 – Use of Official Stationery

The use of official stationery shall be confined to the business of the subordinate body and shall be used only by the appropriate officers.

34.7 – Litigation Responsibility

34.7.1 – Subordinate Body

In the event a subordinate body should instigate litigation against the International Brotherhood or any officer thereof because of the enforcement of any of the provisions of the Constitution and the matter is resolved through the courts or otherwise in favor of the International Brotherhood, the subordinate body instigating such action or actions shall pay all of the costs incurred by the International Brotherhood.

34.7.2 – International Union

In the event the International Brotherhood should instigate litigation against a subordinate body or any officer thereof because of the enforcement of any of the provisions of the Constitution and the matter is resolved through the courts or otherwise in favor of the subordinate body, the International Brotherhood shall pay all of the costs incurred by the subordinate body.

34.8 – Ritual

The Ritual of the International Brotherhood is made a part of this Constitution as if written and set out herein.

34.9 – Agency for Service of Process

Only the Officers of the International Brotherhood are authorized to be agents for service of processes. International Representatives, employees of the International Brotherhood, or officers and employees of subordinate bodies are not authorized to be agents of the International Brotherhood for service of processes under any circumstances.
34.10 – Duty to Pay Financial Obligations

It shall be the duty of all members of the International Brotherhood to pay as promptly as possible all bills incurred for food, lodging, and other basic needs for themselves and their families, and to promptly repay any financial indebtedness owed to any brother member; provided, however, that the International Brotherhood or its subordinate bodies shall not function as a collection agency or to locate debtors.

34.11 – Religious Discussions

All religious discussions shall be strictly prohibited and excluded from the proceedings of the International Brotherhood and its subordinate bodies.

34.12 – Rules of Order

Except as otherwise provided in this Constitution or in the Convention rules or in approved subordinate body By-Laws, Robert’s Rules of Order shall be the parliamentary law for the International Brotherhood and its subordinate bodies respectively.

34.13 – Savings Clause

If any provision of this Constitution shall be declared invalid or inoperative by any competent authority of the executive, judicial, or administrative branch of federal or state government, the Executive Council shall have the authority to suspend the operation of such provision during the period of its invalidity. If any Article or section of this Constitution should be held invalid by operation of law or by any tribunal of competent jurisdiction, the remainder of this Constitution or the application of such Article or section to persons or circumstances other than those as to which it has been held invalid, shall not be affected thereby.