

**CONSTITUTION AND BY-LAWS
WOODWARD MPC EMPLOYEES
REPRESENTATIVE UNION**

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**BYLAWS
OF
WOODWARD MPC EMPLOYEES REPRESENTATIVE UNION**

**ARTICLE I
Name**

This organization shall be known as Woodward MPC Employees Representative Union (hereinafter the “Union”).

**ARTICLE II
Objectives**

The objectives of this Union shall be the elevation of the position of its members, and further: to conduct a Union of persons engaged in the performance of work within its jurisdiction; to organize, unite, and assist persons, without regard to race, creed, color, sex, religion, age, disability, sexual orientation, gender identity, gender expression, national origin, or ethnic background, engaged in the performance of work within its jurisdiction for the purpose of improving wages, hours, benefits, and working conditions; to obtain the status of exclusive bargaining representative of persons employed within its jurisdiction and to process and resolve grievances and enforce all other rights arising out of such collective bargaining relationships; to encourage members and all workers to register and vote; to support research in its industries for the benefit of its members; to advance and safeguard the full employment, economic security, and social welfare of its members, and of workers generally; to protect and extend democratic institutions, civil rights and liberties, and the traditions of social and economic justice of the United States; to print and disseminate publications; to protect and preserve the Union as an institution and to perform its legal and contractual obligations; to protect the Union from any and all corrupt influences and from the undermining efforts of all who are opposed to the basic principles of democracy and democratic unionism; to acquire, receive, hold, manage, lease, convey, invest, expend, or otherwise use the funds and property of this organization to carry out the duties and to achieve the objectives set forth in these bylaws; to take all steps and actions, which are reasonable and proper, to promote the welfare and interests of its members, of workers within its jurisdiction and of workers generally and to afford mutual protection to members against unwarranted rules, unlawful discharge, or other forms of injustice or oppression; to sponsor, encourage, engage in, and support financially, and otherwise, educational, legislative, political, civic, social, health, welfare, community, or charitable projects or activities; and to support and encourage such other objectives for which working people may lawfully combine for their mutual protection and benefit.

ARTICLE III

Membership

Section A. All persons engaged in work at Woodward MPC located 6300 W. Howard St., Niles, IL 60714, or any location Woodward MPC establishes or relocates to (hereinafter “Woodward MPC”), shall be eligible for membership subject to the provisions of these bylaws.

Section B.

1. An individual is eligible to be an active member if the individual is: employed within a collective bargaining unit represented by the Union.

Receipt by the Union of the current dues and the required initiation or reinstatement fee, or any installment established by the Union for payment of such fee, is required for an eligible individual to become an active member. Continued payment of dues, and, if applicable, any remaining installments of the required initiation or reinstatement fee, is required to maintain active membership.

Active members shall enjoy all rights and privileges of membership in this Union, including the right to vote at regular and special meetings and to hold any office and be elected a delegate if otherwise qualified under these bylaws.

They shall have the privilege of obtaining withdrawal status provided that they are eligible pursuant to the requirements of Article III of these bylaws. If otherwise eligible, active members may obtain military leave status.

2. An active member who is not actively working due to layoff, illness, disability, or a contractually provided leave of absence, and has applicable recall or reemployment rights which have not expired under the collective bargaining agreement, or who has been discharged and has a grievance pending under the collective bargaining agreement, may elect (1) to continue to pay dues and maintain active membership for the temporary period for which said recall or reemployment rights are valid or said grievance is pending, but in neither event for longer than two years, or (2) to apply for another classification of membership provided for in this Article.

Section C. All applications for membership shall be made on forms furnished or approved by the Union. The Union shall retain such applications in perpetuity.

Section D. Members shall not furnish a complete or partial list of the membership of the Union to any person other than those whose governmental position or Union office or employee benefit fund position entitles them to have a list, without specific authorization in writing from the Union President.

Section E. All members shall be subject to the bylaws of this Union.

ARTICLE IV

Withdrawal and Military Leave Status

Section A. The following members whose current dues and fees have been paid shall be entitled to withdrawal status without charge therefor:

1. Members no longer employed within a collective bargaining unit represented by and within the jurisdiction of the Union;
2. Members whose positions are excluded from coverage by a collective bargaining agreement;
3. Members no longer employed by Woodward MPC and who is not a party to a collective bargaining agreement with the Union; and

Section B. The President, upon receipt of information that a member is eligible to receive withdrawal status, shall issue same in accordance with provisions of these bylaws.

Section C. Withdrawal status issued to eligible members shall be effective as of the first of the month following the member's eligibility to receive such status.

Section D. Any person in withdrawal status and making application for membership in this Union shall be accepted as a reinstated member, without the payment of a fee, except the current dues, provided such reinstatement with this Union occurs within 30 days from the date of employment within a collective bargaining concerning Woodward MPC employees.

Section F. In the event any member whose current dues and fees have been paid enters the military service of the United States, whether voluntarily or by draft, such member shall be entitled to, upon request, military leave status with the privilege of reinstating with the Union, provided that such person makes application for membership in the required manner, presents evidence of military discharge, and pays current dues.

Section G. During such military leave, the benefits as provided in these bylaws and the shall be inoperative; however, any such person readmitted under the above provisions shall immediately be restored to membership status in all respects as of the effective date of the military leave status.

ARTICLE V

Meetings

Section A. Regular quarterly meetings of this Union shall be held at such time and location as shall be determined by the Union Executive Board, provided that such quarterly meetings shall not be more than four months apart. Regular meetings may be held via teleconference call or other method approved by the Union Executive Board.

Section B. The Chairperson of the meeting shall have the authority to take whatever reasonable measures are necessary to ensure order.

Section C. A special meeting of the membership shall be called whenever requested in writing by 10 percent of the membership, or when directed by the Executive Board or President. Special meetings shall be held as quickly as is practical and reasonably convenient, provided that, where a regular membership meeting is scheduled within a 30-day period of such a membership request, the Union President may defer such requested meeting to the date of the regularly scheduled meeting. Special meetings shall be held in the same manner as the Union holds its regular meetings.

Section D. Informational meetings of a portion of the membership may be held on an occasional or regular basis as may be determined by the Union. Such informational meetings of the Union membership may pass upon recommendations to be referred to the regular meeting or to a special meeting of the membership for its action thereon. Meetings of a portion of the membership may vote upon collective bargaining agreements which affect it.

Section E. Adequate notice shall be given of the time and place of all meetings not held on a periodic basis at a set time and place, so that all members involved have an opportunity to attend. Adequate notice shall also be given of the purpose of all special meetings.

Section F. Seven members shall constitute a quorum at any membership meeting.

Section G. Except as expressly provided otherwise in these bylaws, all matters calling for a vote shall be determined by a majority of the active members present and voting on the question. Whenever a requirement for a majority vote, two-thirds majority vote, plurality vote, or other such vote is set forth in these bylaws, it shall be applied with respect to those present and voting and/or all valid votes cast and counted, as applicable, unless the voting requirement in the applicable provision of these bylaws expressly provides otherwise.

Section H. Except as otherwise provided herein, proceedings shall be conducted in accordance with common parliamentary procedure designed for the conduct of orderly and democratic meetings.

ARTICLE VI

Union Officers

Section A. The constitutional officers of this Union shall be a President, Vice President, Treasurer, Secretary, and Chief Union Steward.

Section B. The duties of Union officers and employees shall be those provided by these bylaws.

Section C.

1. The President shall be the chief executive officer of the Union and shall be

responsible for enforcing the bylaws and rules of the Union. The President, or the President's designated representative, shall preside at all meetings of the Union and the Union Executive Board and shall decide all questions of order subject to an appeal to the Union or Union Executive Board, as appropriate. The President shall have general supervision over the affairs of the Union. Except for the Chief Steward, the President or the President's designated representative shall have the authority to appoint stewards, or to determine that stewards be elected by the affected membership and shall have the authority to remove stewards in either instance. The President shall appoint all committees as may be necessary, and shall perform such other duties as are required by the President's office. The President shall vote where that vote would be determinative of the outcome or in all cases where a secret ballot is conducted. The President may appoint sergeants-at-arms to assist in properly conducting meetings of the Union.

2. The President shall disburse the Union's funds and, except for disbursements required to be made from the funds of the Union by these bylaws, disbursements shall be authorized or ratified by the Union Executive Board. The President shall invest and reinvest the surplus funds of the Union, upon the approval of the Union Executive Board, according to standards applicable to fiduciaries.
3. The President shall have the authority to interpret the bylaws and rules of the Union. Any such interpretation may be appealed to the Executive Board within 30 days after the decision has been rendered. The President shall have the authority to resolve any controversy, dispute, or grievance that may arise between members of the Union for which a remedy is not otherwise provided in these bylaws.
4. The President may employ or retain such personnel as may be necessary to conduct the affairs of the Union. The President may terminate the employment of any such person at the end of an assignment or in the best interest of the Union.
5. The President shall determine the compensation and expenses, or expense policy, for all personnel employed or retained by the Union, subject to the approval of the Union Executive Board.
6. The President shall be the custodian of the Union Shop Identification Cards, or other such indicia, union logos, union labels, union domain names, and other identification of the Union.

Section D. The Vice President shall assist the President with the discharge of the President's official duties and to discharge any duty which may be delegated to the Vice President. It shall be the duty of the Vice President in the absence of, the disability of, or the unwillingness of the President to serve, to discharge the duties of the President. It shall be the duty of the Vice President to co-sign the carbon copy of written checks for the Union in conjunction with the

Treasurer in the absence of the President

Section E. The Treasurer shall receive and properly receipt all money collected. The Treasurer shall make an itemized statement, which shall contain accounting categories substantially similar to those required in the Union Trustees' financial report provided for in Article IX, Section D of these bylaws, including a statement of assets, liabilities, and net assets, at each regular meeting of the Union Executive Board of all moneys received and paid out by the President, the accuracy of which shall be certified by the Trustees of the Union. The Treasurer shall make the Union financial records available to the Trustees at their request. The Treasurer shall make such itemized statement available for inspection by the members at the Union on a reasonable basis. The President shall also make or distribute a financial report at a regular meeting or series of regular meetings of the membership not less than once a year. The Treasurer shall properly file all financial form required of the Union by state and federal law. It shall be the duty of the Treasurer to keep records, statements, and receipts in perpetuity.

Section F. The Secretary shall assist the President in carrying out the duties and responsibilities of the President and shall conduct the Secretary office under the general supervision of the President. The Secretary shall report the minutes of each Union membership and Executive Board meeting, keeping an accurate and permanently bound or unalterable electronically stored record of all proceedings. It shall be the duty of the Secretary to file such reports as may be required of the Union.

Section G. The Chief Union Steward shall organize and plan meetings with Union stewards to discuss issues relating to the execution of their duties with the membership. The Chief Union Steward shall lend his/her experience and expertise to aid in resolving issues between Woodward MPC and employees in the bargaining unit. It shall be the duty of the Chief Union Steward to ensure that all grievances and grievance steps are filed timely. It shall be the Duty of the Chief Union Steward to ensure that demands for arbitration are timely issued.

Section H.

1. All Union officers who are entrusted with any books or records of the Union shall maintain and keep such books or records in good order and shall at all times have them available for authorized audit, examination or inspection.
2. All Union officers at the expiration of their respective terms of office, or when removed or when their offices become vacant, shall deliver to their duly elected successors, and if there is no such successor, then to the duly elected Trustees of the Union, all books, papers, moneys, and other property in their possession belonging to the Union and they shall not be relieved from their bonds or obligations until they have complied with this requirement.

Section I. Compensation and expenses, or the expense policy, for officers shall be established by the Union Executive Board.

ARTICLE VII

Union Executive Board

Section A. The Union Officers shall constitute the Union Executive Board.

Section B. The Executive Board shall have full and complete charge of all business of the Union not otherwise delegated to a specific officer or officers, or reserved to the membership. It shall meet not less often than once a quarter, provided further, that such quarterly meetings shall not be more than four months apart. The President shall be authorized to call additional meetings of the Executive Board whenever the President deems it advisable or whenever requested by a majority of the Executive Board. The Executive Board may meet in person, by teleconference call, or video call. The President may conduct a vote of the Executive Board by mail, telephone, or other form of communication the President deems appropriate. A majority of its members shall constitute a quorum.

Section C. The Union Executive Board shall annually select from among its members a Board of Audit, consisting of three members, who shall not be Union Officers or Executive Board members. The Board of Audit shall annually examine the trustees' and accountant's reports and shall report their findings to the next regular Executive Board and membership meetings of the Union.

ARTICLE VIII

Union Board of Trustees

Section A. Three Union Executive Board members shall, by virtue of their offices, constitute the Union Board of Trustees. Two of these shall be the President and the Secretary-Treasurer, and the Union Executive Board shall annually designate one of the other members of the Executive Board to be the third Trustee.

Section B. The Trustees shall be responsible for ensuring that all finances of the Union are managed in accordance with these bylaws. The Trustees shall be responsible for ensuring that the funds and property of the Union are properly received and managed for the sole use and benefit of the Union and in accordance with standard accounting practices.

Section C. The trustees shall employ a certified public accountant to assist them in the performance of their duties and to perform a complete audit of the Union not less than once a year.

Section D. The title to a headquarters building or other real property held by the Union shall be vested by proper conveyance in its own name, if applicable state law permits; in the names of the individual members of the Board of Trustees and their successors in office, to be held in trust for the sole use and benefit of the Union; or in a separate building corporation whose corporate documents have been approved by the Executive Board

ARTICLE IX

Union Funds

The general or special funds or property of this Union shall be used only for such purposes as are specified in these bylaws, as may be established by proper resolution of the Union Executive Board, or as may be required to transact and properly conduct the business of this Union.

ARTICLE X Initiation Fees and Dues

Section A. Reasonable dues, initiation and reinstatement fees, and general or special assessments shall be established, increased or levied by the Union by a majority vote by secret ballot of the members. Not less than 15 days' written notice of such proposed action shall be sent to the membership prior to voting.

Section B. Dues shall be due and payable on or before the first day of the month for which they are due. An applicant for membership shall pay any applicable initiation or reinstatement fee, plus the current month's dues and assessments.

Section C. Any member two calendar months in arrears for dues or fees to the Union shall stand suspended if they are not paid on or before the first day of the third month. After the expiration of such period, no officer, representative, or employee of this Union shall accept dues without a reinstatement application and the required fee. The responsibility for maintaining membership rests with the member; suspension, therefore, when it occurs, is the voluntary act of the member involved.

Section D. Initiation and reinstatement fees fixed by the Union may be reduced or waived by the Executive Board during active organizing programs.

ARTICLE XI Elections

Section A. All officers shall be elected by secret ballot of the membership, and their term of office shall be for three years, commencing November 1. Terms of office shall expire on October 31, and the terms of newly elected officers shall commence on November 1.

Section B. Nominations shall be conducted during the six month period preceding the expiration of the term of office and elections shall be conducted during the six month period preceding the expiration of the term of office.

Section C. Not less than 15 days prior to nominations, notice shall be mailed by the Union to each member at the member's last known home address, setting forth times, dates and places for conducting the nominations.

Not less than 15 days prior to election, notice shall be mailed by the Union to each member at

the member's last known home address, setting forth times, dates and places for conducting the elections.

Notice of nominations and election may be combined into a single notice, which shall be mailed not less than 15 days prior to nominations.

Section D. No person shall be eligible for nomination or election to any office unless such person is:

1. An active member in the Union, who has been an active member in the Union, or who had been a member of another organization merged with the Union, for a continuous aggregate of at least 12 months immediately preceding the month in which nominations are held, or;

Section E. No member may run for more than one office in any election and no member may hold more than one elected office at any one time. The regular employees of the Union shall not constitute more than 50 percent of the membership of the Union Executive Board.

Section F. Any active member in the Union as established in these bylaws shall be eligible to vote in the Union's elections.

Section G.

1. The nominations and elections shall be conducted at such times and places as will afford all active members a reasonable opportunity to nominate and vote.
2. The President shall select a general chairperson, who shall be a member of the Union, to supervise the conduct of the nominations and election and not less than three members to act as election judges to assist the general chairperson. The general chairperson and election judges, who together shall constitute the election committee, shall not be candidates for Union office. The general chairperson shall establish the applicable dates, times, places, manner and procedures for the nominations and election. The Election Committee shall maintain custody of all ballots and election registers during the conduct of the elections. Where multiple polling places are used, at least one election judge or the general chairperson shall supervise the election at each polling place.
3. Each eligible member desiring to vote shall sign an election register authorized by the general chairperson of the election. The voter shall be given a ballot authorized by the general chairperson and shall be provided an opportunity to vote the ballot in secrecy. Ballots shall bear no number or marks which might identify the voter. After marking the voter's ballot, the voter shall fold and place it in a secured ballot receptacle provided by the election committee. Alternative procedures for voting by machine, adequate to ensure the secrecy of the ballot, may be provided. Candidates may have observers, who shall be active members of the Union. Adequate safeguards to ensure a fair election shall be provided by the Union officers and election officials.

4. Where the election is conducted at a single polling place, the results shall be tallied and recorded by the general chairperson of the election and the election judges at the close of the voting.
5. Where the election is conducted at multiple times or polling places, the general chairperson of the election and not less than three election judges designated by the general chairperson shall meet not later than the second day following the last day on which the election was held and at a time and place to be specified by the general chairperson to tally and record the results of the election. As may be determined by the general chairperson prior to the balloting, the ballots may be counted at the close of each polling place, provided that, the general chairperson or at least one election judge is present, and provided further that, the general chairperson and not less than three election judges designated by the general chairperson shall tally and record the final results of the election as provided above in this paragraph.

Section H.

1. In lieu of or in addition to the election procedure provided for above, the general chairperson of the election may determine to conduct the election by a mail referendum in its entirety or in outlying areas.
2. An election by mail referendum shall be conducted as follows:
 - a) The election general chairperson and election judges will send by first-class mail to each active member of the Union eligible to vote by mail ballot the following: (1) instructions as to the procedure to be used by the members in casting their secret ballots by mail; (2) one official ballot and one envelope bearing the words "Secret Ballot," with no identifying number or marks; and (3) a ballot return envelope, which shall either contain a label with the member's name and address or clearly ask the member to print their name and address, and which shall be pre-addressed to a post office box obtained solely for the purpose of the mail referendum.
 - b) The Union election general chairperson and election judges shall establish a deadline for the receipt of return mail ballots, which shall be no earlier than 15 days or later than 30 days after the date upon which the ballots are mailed to the members; provided that, if separate notice setting forth the manner and the dates that the ballots will be sent to the membership and that the return mail ballots must be received has not previously been mailed to each member at their last known home address, the receipt deadline shall be no earlier than 20 days after the date upon which the ballots are mailed to the members. If only a portion of the election is conducted by mail ballot, the receipt deadline shall be within the limits provided above and, in addition, the same as the date established for the close of voting in the non-mail portion, if any, of the

election.

- c) On the day of the receipt deadline, after 12:00 Noon, at least two members of the election committee shall together pick up the mail ballots and return them unopened to the place specified by the general chairperson, and thereupon the election committee shall open and count the ballots. The general chairperson and the election judges shall remove the Secret Ballot envelope containing the ballot from all ballot return envelopes verified to have been sent by eligible voters. After all the Secret Ballot envelopes have been separated from the return ballot envelopes, they shall be opened and the votes tabulated by the general chairperson and election judges. If only a portion of the election is conducted by mail ballot, the election committee shall open and count the mail ballots following the close of voting in the non-mail portion that day.
- d) Adequate safeguards to ensure the secrecy of each voter's ballot and the fairness of the mail referendum shall be provided by the Union officers and election officials.
- e) In all other applicable respects, the provisions of these bylaws relating to the election of Union officers shall govern.

Section I. Write-in candidates and proxy voting shall not be permitted.

Section J. A plurality of votes cast shall be required for election except as to the offices of Union President and Vice President, where a majority of votes cast shall be required for election. Where the election for an office other than President or Vice-President results in a tie or where no nominee for Union President or Vice-President receives a majority of votes cast, a runoff election between the two nominees with the higher number of votes shall be conducted.

Section K. When nominations have been completed and there are unopposed candidates, such unopposed candidates shall be deemed elected by acclamation.

Section L. The ballots and all other records pertaining to the nominations and elections, including the membership mailing lists which were used to send the notices of the nominations and elections, shall be preserved for not less than one year by the President.

Section M. Formal installation of the newly elected officers may be either before or after the start of their term of office to suit the convenience of the Union, but in any event, during either the month preceding or the two months following the start of their term of office.

Section N. All newly elected officers must take an oath of office before they may be deemed Union Officers. The Executive Board may determine the means and methods for conducting the oath of office.

Section O.

1. Not more than 15 days subsequent to the election, all challenges to the election shall be submitted to the general chairperson of the election. The Union general chairperson and election judges shall consider any such challenge and take such remedial action as they deem appropriate.
2. Any challenge or appeal which could have been presented in compliance with these filing requirements, but was not, shall be deemed to have been waived.

Section P.

1. Where vacancies occur in any of the elected offices of a Union, the Union Executive Board, not later than 90 days after the vacancy occurs, shall fill the vacancy for the balance of the term. However, a vacancy in the office of President shall be filled no earlier than 30 days nor later than 90 days after the vacancy occurs.
2. In the case of a vacancy in the office of President, the Vice President of the Union shall perform the President's duties until a new President is elected by the Union Executive Board.
3. Any member filling a vacancy must satisfy the eligibility requirements of Article XI, Section D of these bylaws as applicable to the filling of vacancies.

Section Q. If any officer shall fail to attend three successive Union Executive Board meetings, without satisfactory excuse, the office shall be declared vacant by the Union Executive Board.

ARTICLE XII Duties and Obligations

Section A. Every member agrees, in consideration of the rights and benefits conferred pursuant to the terms of these bylaws, to comply with the duties and obligations stated in this Article and that termination of membership does not terminate liability for violations of such duties and obligations occurring during the period of membership.

Section B. No member may be disciplined, except for violating their duties and obligations by committing any one or more of the following offenses:

1. Violating any provisions of these bylaws or established rules of this Union;
2. Deliberately and improperly interfering with any Union Officer in the discharge of their duties, or with the performance of the legal or contractual rights or obligations of the Union;

3. Deliberately engaging in conduct in violation of the responsibility of members toward the Union as an institution;
4. Crossing or working behind a legal picket line established by the Union and sanctioned by the Executive Board;
5. In the case of any Union Officer failing to faithfully perform the duties of their office or position, accepting dual compensation or expenses for the performance of duties related to their office or position, or embezzling, misappropriating, fraudulently receiving, wrongfully handling, or failing to account for the union funds or any employee benefit fund.

Section C. Any member convicted of any one or more of the above offenses may be disciplined.

Section D.

1. Members shall resolve any dispute relating to the interpretation or application of the Union Bylaws exclusively through the remedial provisions provided therein. Resolution of any such dispute pursuant to such procedure shall be final and binding.
2. No member shall institute an action outside the Union against the Union or any of their officers or representatives without first exhausting all remedies provided by the Union bylaws.

ARTICLE XIII Disciplinary Proceedings

Section A.

1. A member shall be charged and tried in the Union if the person is a member of the Union at the time the charges are filed. Any person no longer a member may be charged and tried in the Union if the actions were committed while such person was a member of the Union.
2. Charges may be filed by an active member of the Union.
3. More than one charging party may join in the same set of charges, but the charges must name one of the charging parties as the representative of the others to be responsible for filing papers, receiving papers, and trying the case. Where the charges fail to designate such representative, then the first charging member named in the charge shall be considered the representative of the others.
4. Charges and other formal documents referred to in this Article sent by mail or submitted in another generally accepted manner other than in person shall be considered filed as of the date of the postmark or other indicia of transmission.

Charges and other formal documents delivered in person shall be considered filed as of the date of delivery.

5. Charges shall be filed with the Union Executive Board within six months after the basis for the alleged violation has been discovered or should have been discovered.
6. The charges shall specify the Article the Union bylaws or rules allegedly violated and shall also set forth a short and plain factual statement of the act or acts considered to be in violation, including available information as to dates and places, in such a manner and sufficient detail as to fairly inform the accused of the specific acts which are alleged to constitute violations of the Union bylaws or rules. Either upon motion by the charged parties or the Union Executive Board, charges failing to comply with this requirement shall be dismissed by the Union Executive Board, without prejudice to the refiling of charges within ten days which do comply with this requirement. Dismissal of refiled charges shall constitute final action. Such dismissal shall be subject to appeal as provided in Article XIII(C)(16) of these bylaws
7. A true and correct copy of the charges and a copy of the Union bylaws shall, without delay, be served upon the accused party by the Union Executive Board by certified mail, return receipt requested or in person. The accused shall be afforded a reasonable opportunity to reply in writing to the charges, if the accused so desires.
8. On motion of the accused before trial, or upon its own motion, the Union Executive Board may dismiss without trial any charges which, after assuming the charging party's facts are true, fail to allege actions which would constitute violations of the Union bylaws or rules. Such dismissal shall be subject to appeal as provided in Article XIII(C)(16) of these bylaws
9. On motion of the accused before trial, or upon its own motion, the Union Executive Board may dismiss without trial any charges it finds are of such a nature that the interest of the Union does not justify the expenditure of time, money and other resources necessary for the conduct of a disciplinary proceeding or where it finds that the undisputed material facts warrant dismissal of the charges. Such dismissal shall be subject to appeal as provided in Article XIII(C)(16) of these bylaws
10. Charges processed pursuant shall be held as soon as practicable, but no later than 60 days following the date on which the charges are filed. However, upon request of either party, for good cause shown, an adjournment to a later date, not to exceed 100 days from the date the charges are filed, may be granted by the Union Executive Board. The Union Executive Board shall have the power, upon its own motion, to postpone any scheduled trial, provided such postponement shall not be beyond 100 days from the date charges are filed. Any such Executive Board decision to postpone the trial beyond the scheduled

date or to set a trial for 60 days beyond the date of the charge being filed must be served upon all parties immediately. Every effort shall be made to schedule the trial so that it does not conflict with the working schedule of the parties, and at least 14 days' notice of the trial date shall be given in writing. The written notice to the charging and accused parties shall state that the parties have the right to have other members of the Union attend the trial, subject to reasonable accommodations of space. Any request for the postponement of the trial date must be received by the Executive Board at least three days before the scheduled trial date unless a satisfactory showing is made of inability to comply with this requirement. The request must include good cause for such a postponement. In the event the accused fails to appear for a duly noticed trial, it shall nevertheless proceed.

11. The trial shall take place before the Union Executive Board, which for purposes of this Article shall mean those members of the Union Executive Board serving for purposes of trial. The President of the Union shall be the chairperson of the Executive Board for purposes of the trial proceeding. No charging party or accused member or a witness may serve on the Executive Board in the conduct of disciplinary proceedings. Where the chairperson is unable to serve for any reason, the remaining members of the Union Executive Board shall designate one of their number to act as chairperson. On motion filed with the Union Executive Board, prior to trial, either party may ask that a particular Board member be excused from participating in the proceeding if the party thinks that they cannot receive a fair trial before that Board member. The Executive Board shall give precedence to consideration of such motion. For purposes of trial, a quorum of the Executive Board shall consist of three of its members and a quorum is necessary throughout the trial. If an Executive Board member is absent during any portion of the trial, the Executive Board member may not participate further in the proceeding. All questions of order, procedure, and admissibility of evidence shall be decided by the chairperson, subject to being overruled by a majority vote of the Board upon motion by a member of the Board.
12. The accused and charging parties shall have a fair and impartial trial and shall have the right to present witnesses and other evidence in their behalf and to examine any witnesses. The accused shall have the right to refuse to testify. A charging or accused member may be assisted, advised, or represented by another member of the Union. At the commencement of the trial, the chairperson of the Board shall advise the parties of their rights as set forth above in this Article and shall read the charges to the accused. The accused shall then plead guilty or not guilty to each charge. In the event the accused elects not to appear or to respond, they shall be deemed to have entered a plea of not guilty and the trial shall proceed. Throughout the trial, there shall be a presumption of innocence in favor of the accused. The charging party shall present first and shall have the burden of proving the allegations contained in the charges. At the close of the charging party's case, either the accused or a member of the Executive Board shall have the right to move to dismiss the

charges because the charging party has failed to present record evidence that establishes a violation of the Union bylaws or rules.

13. A detailed written record of the trial proceedings shall be made and preserved and shall constitute the trial record, provided that no fine, nor loss of membership rights or union office, shall be imposed unless a stenographic record and transcript are kept of the trial proceedings.
14. Upon the completion of the trial proceedings, the Executive Board shall, within 45 days, determine the innocence or guilt of the accused, based solely on the record evidence. The parties shall be advised of the decision in person or by certified mail. A verdict of guilty shall require a two-thirds majority vote of the Executive Board. If the decision is that of guilty, the Executive Board shall affix appropriate penalties, provided that such discipline shall be reasonable and fair, and, provided further, that no discipline shall be imposed without stating with specificity what the discipline is being imposed for. If a trial is conducted on charges filed against a Union officer or representative, the procedures of this Article shall apply.
15. The decision of the Executive Board shall become immediately operative unless stayed by the Union Executive Board or an appeal is submitted in Article XIII(C)(16) of these bylaws.
16. An appeal of the Executive Board's dismissal of a charge under this Article must be submitted in writing to the Union President within five (5) days of the Executive Board's decision. Upon properly submitting an appeal, the member may present evidence against the Executive Board's decision at the next quarterly membership meeting. The members present at the quarterly meeting, excluding the appealing member and the Executive Board, will vote via secret ballot to grant or deny the appeal. An appeal will be granted by simple majority of the present members. If an appeal is granted the charge is reinstated and must comply with the procedures set forth in this Article.

ARTICLE XIV

Appeals of Members from Union's Disposition of Grievances

Section A. The Union shall have the exclusive authority to interpret and enforce the collective bargaining contract. In accordance therewith, the Union shall have the exclusive authority to submit grievances to arbitration, withdraw grievances, settle and compromise grievances and decline to invoke the grievance procedures of a collective bargaining contract. The President, or their designated representative, shall make the decision as to whether a grievance is to be submitted to arbitration.

Section B. Any member who disagrees with the disposition of their grievance by the Union President, or the President's designated representative, shall have the right to appeal the decision to the Union Executive Board. The appeal shall be submitted, in writing, to the office

of the Union and shall contain a simple statement of the nature of the grievance and any other matter the member wishes to bring to the attention of the Executive Board

Section C. The member shall submit the appeal within 15 days from the date the member is first advised to the Union's disposition of the member's grievance.

Section D. The Union Executive Board shall consider the appeal at the next regular meeting of the Executive Board. The Executive Board shall treat the appeal as either a request for a review or a request for reconsideration.

Section E. The Executive Board shall advise the member of its decision within 30 days from the date of its meeting. There shall be no further appeal from the decision of the Executive Board.

Section F. Any member who does not appeal the Union's disposition of the member's grievance as provided above shall be deemed to have acquiesced in said disposition.

ARTICLE XV

Collective Bargaining Contracts

Section A. The President shall be responsible for leading collective bargaining negotiations. The President may appoint members to a "bargaining committee" to assist in bargaining.

Section B. Any collective bargaining agreement tentatively agreed to by the President and bargaining committee shall not be binding on the members until it has been ratified by a majority of members voting for ratification or rejection. A recommendation from the Executive Board may accompany any collective bargaining agreement so proposed to the members for ratification, but a recommendation shall be adopted by the Executive Board only upon a simple majority vote.

Section C. No strike or other economic action shall be taken by the Union in connection with a contract proposal, unless the affected membership, at a meeting or meetings thereof, has approved the same through a simple majority vote of members voting on the action separately or combined with the question of approval of the contract proposal.

Section D. In the event of rejection of the employer's proposal judged by the President or bargaining committee to be the employer's final proposal for a collective bargaining contract or renewal of an existing contract and the failure membership of the Union to approve a strike or other economic action by a simple majority, the Executive Board have authority to accept or reject such offer.

Section E. Whenever in the judgment of the President it would be preferable to conduct a mail referendum for contract ratification, strike vote, or vote on other economic action, he or she may direct the conduct of such a referendum. Whenever in the judgment of the Executive Board it would be preferable to conduct a mail referendum for contract ratification, strike vote, or vote on other economic action, it may direct the conduct of such a referendum.

ARTICLE XVI
Agreements, Bylaws and Constitution

Every member, upon request, shall be given a copy of the collective bargaining contract executed between the Union and the member's employer, a copy of these bylaws.

ARTICLE XVII
Amendments to Bylaws

Section A. Proposals to adopt or amend these bylaws shall (1) be signed and submitted to the Executive Board by 33% percent of the membership, or (2) be proposed by the Executive Board. The Executive Board shall make a recommendation on amendments submitted to it not later than 90 days after they are submitted. Notice of such amendment, containing the Executive Board's recommendation thereon and the date, time and location of the membership meeting at which the amendment will be voted upon shall be mailed to each member at least 15 days prior to such meeting. The text of the amendment and the Executive Board's recommendation shall be read or distributed to the membership at such meeting prior to voting.

Section B. Amendments shall be adopted by a simple majority vote of active members voting. At the discretion of the Union Executive Board, the vote may be conducted by mail referendum in accordance with the applicable provisions of these bylaws, provided that the Union shall mail members their ballots and the proposed amendment at least 15 days prior to the receipt deadline for return of the ballots and that the Union shall hold an informational meeting for discussion of the proposed amendment.

ARTICLE XVIII
Separability of Bylaws

If any provision of these bylaws shall be held invalid, the remainder of these bylaws shall not be affected.