

**BY-LAWS  
OF  
LOCAL UNION NO. 44  
OF THE  
INTERNATIONAL ASSOCIATION OF BRIDGE, STRUCTURAL,  
ORNAMENTAL AND REINFORCING IRON WORKERS**

**PREAMBLE**

This organization shall be known as Local Union No. 44 of the International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers. This Local Union is chartered by the International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers and operates under the Constitution adopted by the International Association in Convention assembled. These By-Laws shall not be considered as superseding any provision of the Constitution of this International Association and any provision contained herein which may be in conflict with or a violation of any amendment to or revision hereinafter made in the Constitution of the International Association shall be considered null and void. The objects of this Local Union shall be:

- (a) Promote, by all proper means, the material and intellectual welfare of its members and their families.
- (b) Secure, by all legal and proper means, adequate wages, working conditions and opportunities of employment.
- (c) Encourage its members to register and vote in the interest of obtaining higher standards of citizenship and secure adequate legislation which will safeguard and promote the principles of free collective bargaining.

**ARTICLE I**

**MEETINGS**

**Section 1. Regular Meetings.**

(A) Regular meetings shall be held ten (10) or more times a year at intervals of not less than one (1) calendar month. Such regular meetings shall be held on the first Tuesday of each month and begin promptly at 7:30 p.m. Except as provided for in Section 5 of this Article, the day on which the regular meeting is held shall not be changed except by the adoption of an Amendment to these By-Laws, as provided for in Article XIV hereof.

(B) The number of members constituting a quorum for regular meetings shall be as follows:

- (1) When the number of members of the Local Union, in good standing, is two hundred and fifty (250) or less, ten percent (10%) of such number or ten (10) members (whichever is greater) shall constitute a quorum.
- (2) When there are more than two hundred and fifty (250) members in good standing, twenty-five (25) members shall constitute a quorum.
- (3) However, upon approval of the General Executive Board, the number of members necessary to constitute a quorum can be waived.

(C) The regular meeting shall be conducted in accordance with the applicable provisions of the International Constitution and the "Rules of Order" set forth therein, and the following additional Rules shall be enforced:

- (1) Members shall be required to present their monthly dues receipt to the Sergeant-at-Arms for admittance to regular or special meetings. Only those members who are in good standing (not more than one (1) month in arrears with payment of dues and working dues) shall be permitted to attend any meeting of this Local Union.
- (2) No member shall be admitted during opening exercises or during the initiation of candidates.
- (3) Members shall remove and headgear and be seated upon entering the meeting hall.

- (4) A member may speak only once on a subject and for no more than five (5) minutes until all who wish to speak have had the floor. No member will be allowed to speak more than twice on the same subject except by consent of the body.
- (5) It shall be the responsibility of every member to refrain from any action which interferes with the orderly conduct of the meeting of the Local Union. Any member who enters the meeting hall intoxicated or under the influence, use profane or indecent language during the meeting, or causes a disturbance or otherwise conducts himself in a disorderly manner, shall be requested to leave the building. Should the member refuse to leave, he shall be subject to charges in accordance with Article XXVI, Section 14 of the International Constitution. If the member is found guilty, he may be fined an amount equal to no less than one (1) day's pay or more than five (5) day's pay at the regular straight time wage rate.
- (6) Habitual offenders, habitual drunkenness or disgraceful, disrespectful conduct to himself, the Local Union, its members or officers, or to the International Association, shall be subject to charges in accordance with the provisions of Article XXVI, Section 14 of the International Constitution.
- (7) The consumption of alcohol or use of drugs of any description is strictly forbidden within the building proper. On special occasions, alcohol may be approved and such approval must be granted by the majority of the members at a regular meeting.

## **Section 2. Special Meetings.**

Special meetings may be called by the President or Executive Committee. Not less than fifteen (15) days notice of the date, hour, and purpose of the special meeting shall be mailed to each member at his last-known home address and no business shall be transacted at a special meeting except that for which the meeting is called. Special meetings shall be approved by the General Executive Board of the International Association.

## **Section 3. Executive Committee Meetings.**

(A) The meetings of the Executive Committee shall be held in accordance with the provisions of Article XXVI, Section 11 of the International Constitution; however, special

meetings of the Executive Committee shall be held when directed by the Local Union President.

(B) Executive Committee meetings shall be held on the third (3rd) Tuesday of each month. The Executive Committee shall serve and act in accordance with the applicable provisions of the International Constitution. The Executive Committee shall be responsible for their agenda and rules governing their meetings.

(C) The Executive Committee shall transact any business referred to them by the Local Union and also act on any business or emergencies which arise between regular meetings and before the Local can be convened. At each regular meeting, the Executive Committee must submit a report on all matters handled between meetings for approval of and instructions from the Local Union.

(D) In accordance with Article XXVI, Section 11 of the International Constitution, the Business Manager shall be a member of the Executive Committee.

#### **Section 4. Examining Committee Meetings.**

Examining Committee Meetings shall be held at the direction of the Local Union President, to carry out the functions of the Examining Committee as provided in Article XXVI, Section 8 of the International Constitution.

#### **Section 5. Holidays Observed.**

If a regular or Executive Committee meeting conflicts with a recognized holiday, holiday eve or when a meeting day follows a recognized holiday, said meeting will be rescheduled for the following Tuesday. Recognized holidays are: New Years Day, Federal Memorial Day, Fourth of July, Labor Day, Thanksgiving Day and Christmas Day. This does not apply to any special meeting called because of an emergency.

#### **Section 6. Trustees Meetings.**

The Trustees shall have a regularly scheduled meeting to coincide with the Executive Committee's meeting to complete their elected duties as a body. The Trustees shall be required to attend these meetings and shall be compensated for same in the same manner as the Executive Committee.

## **ARTICLE II**

### **GOOD STANDING - REVENUE**

#### **Section 1. Good Standing.**

(A) In order for a member to be considered in continuous good standing, all dues, assessments and fines which are due and payable on the first (1st) day of each month must be paid in full by the end of that same month.

- (1) Maintaining good standing enables Journeyman members to:  
Maintain eligibility for International Death Benefits.  
Attend Local Union meetings.
- (2) Maintaining continuous good standing enables Journeyman members to:  
Become a candidate for Local Union office and/or become a delegate to the International Convention.
- (3) Maintaining good standing enables Apprentices and Honorary Members to:  
Maintain eligibility for International Death Benefits.  
Attend Local Union meetings.

#### **Section 2. Monthly Dues.**

(A) The regular monthly dues for Journeymen members of this Local Union shall be ten dollars and twenty-five cents (\$10.25) plus the applicable International per capita tax and International assessments.

- (1) For Journeyman members who wish to maintain continuous good standing, the monthly discounted dues shall be twenty-five cents (.25¢) plus the applicable International per capita tax and International assessments.

(B) The regular monthly dues for Apprentice members of this Local Union shall be ten dollars (\$10.00) plus the applicable International per capita tax and International assessments.

- (1) For Apprentice members who wish to maintain continuous good standing, the monthly discounted dues shall be limited to the applicable International per capita and International assessments.

(C) Members approved for International pension shall have International per capita tax and International assessments paid for by the Local Union.

(D) Only members who are in good standing (not more than one (1) month in arrears) shall be permitted to attend regular or special meetings.

(E) Monthly dues receipts shall be returned by mail to the members' last known mailing address within five (5) working days.

### **Section 3. Working Dues.**

(A) The working dues for all members working in the jurisdiction of Local Union No. 44, unless otherwise provided for, shall be those set forth in the Local Union Collective Bargaining Agreement. These dues are normally withheld and submitted monthly by the employer but in the event dues are not withheld the member is responsible for payment of same.

### **Section 4. Initiation and Reinstatement Fees.**

The initiation and reinstatement fees of this Local Union shall be as provided in the International Constitution.

### **Section 5. Change of Monthly Dues.**

(A) The monthly dues and working dues, as provided for herein, shall not be changed except by the adoption of a written resolution, which must be read at three (3) consecutive meetings of the Local Union, and if the resolution receives a majority vote, by secret ballot, of all members present at the third consecutive meeting, and if such resolution is approved by the General Executive Board of the International, such resolution shall be considered an amendment to these By-Laws. Not less than fifteen (15) days advance notice of the intent to vote on any such resolution shall be mailed to each member at his last-known home address.

(B) When the action of the delegates in session at a regular convention of this International Association vote in a majority to adopt the motion to increase the International per capita tax and/or International assessments, then the monthly dues of this Local Union will automatically be increased the amount or amounts adopted by the convention delegates.

**ARTICLE III**

**NOMINATION - ELECTION - TERM OF OFFICE - INSTALLATION -  
DUTIES - BONDING**

**Section 1. Nominations.**

(A) Officers of the Local Union shall be those enumerated and provided for in Article XXVI, Section 1 of the International Constitution and shall be as follows:

President  
Vice President  
Financial Secretary-Treasurer (The offices of Financial Secretary and Treasurer shall be consolidated into one elected office.)  
Business Manager  
Business Agent  
Recording Secretary  
Five (5) Executive Committee members  
Three (3) Examining Committee members  
Three (3) Trustees  
Sergeant-at-Arms.

Only members who fulfill the eligibility requirements set forth in the International Constitution shall be eligible to be a candidate for any office in the Local Union, or serve as Judge of Election, or hold any office in the Local Union, or represent the Local Union as a Delegate to any affiliated body.

(B) Nomination of Officers shall be conducted during the first regular meeting held in the month of November once each three (3) years. Not less than fifteen (15) days advance notice of such nomination shall be mailed to each member at his last-known home address.

(C) Following the conclusion of the nomination of Officers, at least three (3) but not more than five (5) Judges of Election shall be elected, none of whom shall be a candidate for any office. Those elected as Judges of Election shall conduct the election in accordance with the provisions of Article XXVI, Section 15 of the International Constitution.

(D) Pursuant to Article XXVI, Section 15 of the International Constitution, a schedule containing the names and membership numbers of those nominated and the office for which nominated, as well as the names and membership numbers of those elected as Judges of Election, shall be sent to the General Secretary of the International Association.

(E) Questions concerning eligibility to hold office must be submitted to the International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers, whose decision shall be final and binding on the Local Union subject to the right to appeal

pursuant to the provisions of the International Constitution.

**Section 2. Elections.**

(A) Election of Officers shall be by secret ballot and shall be conducted in accordance with the provisions of Article XXVI, Section 15 of the International Constitution. Such election shall be held on the first Friday in the month of December during the hours from 8:00 a.m. to 8:00 p.m. The polling place shall be located in the regular meeting hall or office of the Local Union.

(B) Where there are two (2) candidates for an office, the majority of the votes cast for that particular office shall be necessary to elect. Where there are more than two (2) candidates for a particular office, the member receiving the highest number of votes shall be declared elected. In case of a tie vote, a new election shall be conducted at the next regular meeting night, providing that the election is held on a regular meeting night. Local Unions which set their election date other than the regular meeting night shall allow at least two (2) weeks to elapse before the election as provided for in Article XXVI, Section 15, Paragraph 6 of the International Constitution.

(C) All officers shall be elected at the regular election for a term of three (3) years.

(D) All members shall provide the Financial Secretary-Treasurer and Recording Secretary with their addresses and in case of change of address shall notify the Secretary within two weeks thereafter.

(E) Not less than fifteen (15) days prior to the election or run-off election of officers, notice of such election shall be mailed to each member at his last-known home address.

(F) The ballots and all other records pertaining to elections shall be preserved by the Local Union for at least one (1) year.

(G) Within five (5) days following the election of officers, a copy of the ballot containing the number of votes cast for all candidates shall be sent to the General Secretary of the International Association.

**Section 3. Term of Office - Installation - Duties - Bonding.**

(A) All Officers shall be elected for a term of three (3) years and each duly elected Officer shall be obligated and assume the duties of such office during the first regular meeting immediately following the date the election is held. The installation of Officers shall be conducted by a Past President or an International Representative, if present - otherwise, the current President or Vice President shall officiate.

(B) The duties of the Local Union Officers shall be those as provided for in Article XXVI of

the International Constitution.

(C) Each Officer and each employee of the Local Union whose duties require that such individual be bonded, shall be bonded in accordance with the provisions of Article XXI, Section 20 of the International Constitution.

**Section 4. Delegates to Councils, Conferences, Conventions and all other functions of National, State and Local AFL-CIO and Building and Construction Trades Organizations.**

(A) Delegates to the Iron Workers' District Council with which the Local Union is affiliated shall be elected, by secret ballot, at the regular election of Officers. The number of such Delegates shall be as provided for in the Constitution and By-Laws of such District Council and two (2) of such Delegates shall, by virtue of their offices, be the Business Manager and Financial Secretary-Treasurer of the Local Union and one Delegate to be elected from the body.

(B) Delegates to the Cincinnati Building and Construction Trades Council: Three (3) of the delegates will be, by virtue of their elected offices, the Business Manager, Business Agent and Financial Secretary-Treasurer. Additional delegates shall be appointed by the President.

(C) Delegates to Ohio State AFL-CIO and Ohio State Building and Construction Trades: Two (2) of the delegates will be, by virtue of their elected offices, the Business Manager and Financial Secretary-Treasurer. Additional delegates shall be appointed by the President.

(D) Delegates to Kentucky State AFL-CIO and Kentucky State Building and Construction Trades: Two (2) of the delegates will be, by virtue of their elected offices, the Business Manager and Financial Secretary-Treasurer. Additional delegates shall be appointed by the President.

(E) Delegates to Indiana State AFL-CIO and Indiana State Building and Construction Trades: One (1) of the delegates will be, by virtue of his elected office, the Business Manager or Business Agent. Additional delegates shall be appointed by the President.

(F) Delegates to National AFL-CIO and Building and Construction Trades: By virtue of their elected offices, the first delegate will be the Business Manager and the second delegate will be the Financial Secretary-Treasurer. Additional delegates shall be appointed by the President.

(G) Delegates to Conferences and Meetings of the International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers: By virtue of their elected offices, the first delegate will be the Business Manager and the second delegate will be the Financial

Secretary-Treasurer. Additional delegates shall be appointed by the President.

(H) Delegates to the International Convention of the International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers will be elected in accordance with Article VI, Section 1a through Section 8 of the International Constitution.

### **Section 5. Organizer.**

Local Union No. 44 of the International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers, Machinery Movers, Riggers and Erectors shall hire an Organizer. The following guidelines shall govern this process:

(A) The Organizer shall be hired by the Business Manager using any evaluation criteria that he/she deems necessary. The Organizer shall serve at the discretion of the Business Manager.

(B) The Business Manager shall direct the Organizer as he/she sees fit to best benefit our Local Union's short and long-term goals.

(C) The Business Manager shall make a monthly report of the Organizer's activities to the membership at the regular monthly meeting.

(D) Discipline and/or termination, for cause, of the Organizer are the responsibility of the Business Manager. A two week notice must be given by either party in the event of discharge or resignation.

(E) The Business Manager shall review the Organizer's performance on no less than a yearly basis.

(F) The Organizer shall be a member in good standing of Local Union No. 44. The Organizer cannot have been convicted of a felony or be a member of the Communist Party.

(G) The Organizer must be bonded and/or insured to protect the Local Union's assets. Legal counsel shall be consulted periodically to ascertain current and future needs.

(H) The Organizer, after consultation with the Business Manager, may employ any tactics legally available to accomplish the goals set forth by the Business Manager. In addition, any tactics recognized as legitimate by the International Association may also be employed by the Organizer and Business Manager.

(I) The Organizer, after consultation with the Business Manager, may belong to any organization deemed necessary to further the cause of organizing the unorganized.

**ARTICLE IV**

**VACANCIES**

**Section 1.**

(A) All official vacancies which may occur as a result of resignation, death or otherwise shall be filled by appointment, to be made by the President as provided for in Article XXVI, Section 2 of the International Constitution.

(B) Officers of the Local Union shall be required to attend at least one (1) regular meeting each month unless prevented by any of the following reasons:

- (1) On business of the Local Union or International Association.
- (2) Required to work by Employer.
- (3) Illness or injury to himself or a member of his immediate family, or death in the immediate family.

(C) Any officer who fails to attend three (3) consecutive regular meetings must submit his resignation, in writing, unless such absence is due to any of the above-mentioned reasons, and charges for failure to properly discharge the duties of his office will be filed against any such officer who fails to submit his resignation in writing. Such charges will be filed and processed in accordance with the provisions of Article XXVI, Section 14 of the International Constitution and if such charges are sustained, the office in question shall be declared vacant, subject to the approval of the General Executive Board.

- (1) Paragraph (C) above shall also apply to any officer who is a member of the Executive Committee and/or the Examining Committee, who fails to attend three (3) consecutive meetings, whether they be regular meetings, Executive Committee meetings or Examining Committee meetings.

**ARTICLE V**

**STEWARDS**

**Section 1.**

A steward must be placed on each job immediately with the beginning of such job in accordance with Section 28 of the General Working Rules of the International Association.

**Section 2.**

Where two or more members are employed on any such job, no member shall serve in the capacity of Steward and Foreman or Steward and General Foreman at the same time on any job.

**Section 3.**

If a Steward on the job fails to send in a Steward report within two (2) weeks after the Wednesday which it ends the week in which the work is performed, he will have charges preferred against him in accordance with the provisions of Article XXVI, Section 14 of the International Constitution.

**Section 4.**

Any member in good standing accepting the position of Steward, appointed or elected, on any and all jobs, must attend one (1) out of every three (3) regular meetings for as long as he remains a Steward, and must be a paid-up member of Local Union No. 44.

## **ARTICLE VI**

### **SALARIES, EXPENSES & OTHER COMPENSATION OF OFFICERS AND/OR STEWARDS**

#### **Section 1. Business Manager.**

(A) The Business Manager shall receive an amount equal to Journeyman Iron Workers pay plus the General Foreman hourly rate. His salary shall be based on forty (40) hours per week and he shall be paid weekly.

(B) The Business Manager shall receive seven dollars (\$7.00) per day for incidental expenses for each day worked, payable weekly.

#### **Section 2. Business Agent.**

(A) The Business Agent shall receive an amount equal to Journeyman Iron Workers pay plus the highest Foreman hourly rate. His salary shall be based on forty (40) hours per week and he shall be paid weekly.

(B) The Business Agent shall receive seven dollars (\$7.00) per day for incidental expenses for each day worked, payable weekly.

#### **Section 3. Financial Secretary-Treasurer.**

(A) The Financial Secretary-Treasurer shall receive an amount equal to Journeyman Iron Workers pay. His salary shall be based upon eight and one-half (8.5) hours per day, exclusive of lunch, five days per week and he shall be paid weekly.

(B) The Financial Secretary-Treasurer shall work one (1) hour before the start of meetings on regular meetings nights.

(C) The Financial Secretary-Treasurer shall work four (4) hours on the last Saturday of each month.

#### **Section 4.**

Overtime shall be paid in accordance with the Local Union Bargaining Agreement.

#### **Section 5.**

Salaried officers receiving Foreman premiums may elect to receive such premiums as expense money in lieu of hourly pay. In this case, he shall receive such expense money for each hour he is paid.

**Section 6. Automobiles.**

(A) Automobiles shall be furnished for the Business Manager and Business Agent and said automobiles shall be purchased at the Trustees' discretion in regards to time and finances.

(B) Appropriate credit cards to support, maintain and service said autos shall be furnished to the Business Manager and Business Agent.

(C) Three (3) months prior to the purchase of a new automobile by any agent, a letter shall be sent to the membership informing them that the old vehicle is for sale. If there is no interest by the membership, the option of trade-in is available to the Local Union.

**Section 7. Vacation.**

Full-time salaried officers shall receive two (2) weeks paid vacation each year.

**Section 8. President.**

The President shall receive, in the form of expense money, an amount equal to four (4) hours pay per week at the regular journeyman straight time rate, payable monthly.

**Section 9. Recording Secretary.**

The Recording Secretary shall receive, in the form of expense money, an amount equal to three (3) hours pay per week at the regular journeyman straight time rate, payable monthly.

**Section 10.**

(A) Local Union Officers (other than the President, Recording Secretary and salaried officers) shall receive as expense money, an amount equal to one (1) hour's pay at the journeyman straight time rate for each scheduled meeting attended at the quorum count, payable monthly.

(B) Compensation is applicable only to officers in attendance for the quorum count at scheduled meeting.

**Section 11.**

The Business Manager and Business Agent shall be exempt from Local Union Working Assessments.

**Section 12.**

Any member who is obliged to cease regular employment in order to represent Local Union No. 44 as a delegate to any function shall receive, unless otherwise provided for, the same hourly rate of pay for the same number of hours he would have worked on his regular job. The exception being a delegate who is elected to the International Convention, which is covered under Article VIII, Section 6 of the International Constitution. All delegates shall receive hourly wages and reasonable lodging. They shall receive daily expenses and transportation as defined hereinafter.

**Section 13.**

Delegates to the District Council of Southern Ohio and Vicinity who are not full-time officers shall be paid wages only if there are wages lost or if they are unemployed and seeking work. They shall receive the Journeyman's regular straight time rate, lodging if necessary, and reasonable expenses. Transportation shall be paid at the applicable rate set forth hereinafter.

**Section 14. Daily Expenses.**

The allowable daily expense for delegates representing Local Union No. 44 shall be, unless otherwise provided for, the same daily expense as provided for in Article VIII, Sections 1 through 6, of the International Constitution. Delegates shall receive the daily expenses for each day they receive any wages.

**Section 15. Transportation/Travel Time.**

(A) Delegates shall be paid the maximum rate per mile allowed by the Internal Revenue Service when driving his personal auto. If Delegates double, only the auto owner is reimbursed. Autos furnished by the Local Union are excluded.

(B) Delegates shall travel on Local Union time. However, if a delegate is required to travel outside the normal work hours of 7:30 a.m. to 4:00 p.m. daily, or on Saturday, Sunday or Holiday, he shall be paid as expense money, the regular straight time hourly wage, plus mileage, for personal time spent traveling. Such compensation shall be computed in the following manner:

- (1) Within the District Council of Southern Ohio and Vicinity:

Personal time shall be determined by using the mileage between Cincinnati and the meeting city and pro-rating at fifty (50) miles per hour as the American Automobile Association travel standard. Mileage used will be that used in the Rand-McNally Atlas - "mileage between principal cities."

(2) Outside the District Council of Southern Ohio and Vicinity:

The Delegate shall be furnished a round trip airline ticket (coach fare) and be paid an amount equal to four (4) hours pay each way for personal time. Should the Delegate wish to drive, he shall be paid mileage as outlined in Paragraph (A) above and be paid personal time as set forth in this paragraph. Such compensation, however, shall not exceed the applicable flying allowance.

**Section 16.**

A Delegate may ask and receive his wages, expense and transportation money in advance if he so desires.

**Section 17.**

When deemed necessary, pickets will be established and shall be under the direct supervision of the Business Manager with regard to number, hours, and all other conditions. Members serving picket duty shall be paid fifty dollars (\$50.00) per diem, paid weekly.

**Section 18. Organizer.**

(A) The Organizer shall be paid weekly at the highest foreman rate based upon forty (40) hours of work.

(B) The Organizer shall be paid from the general fund of the Local and shall be afforded all benefits enjoyed by other salaried officers of the Local Union.

(C) Expenses shall be those set forth in the By-Laws for other salaried officers of the Local Union that qualify for them.

(D) Mileage shall be paid on a bi-weekly basis, with one week held back, with the proper documentation. Rates will be based upon the highest applicable allowance set forth by the IRS tax codes. Other means of providing transportation for the Organizer shall be considered if the membership so desires.

(E) The general fund may be reimbursed for all or any part of expenses from the Labor Market Competition and Industry Development Program Fund (LMCIDP) if the membership so desires.

**ARTICLE VII**

**FINANCIAL REPORTS - FISCAL YEAR**

**Section 1. Financial Reports.**

The Financial Secretary-Treasurer shall, during a regular meeting each month, inform the members present of the financial status of the Local Union. During a regular meeting held after completion of the audit report, the Financial Secretary-Treasurer shall inform the members present at such meeting of the financial status of the Local Union as reflected by the auditor's report for the preceding twelve (12) months.

**Section 2. Fiscal Year.**

The fiscal year of the Local Union shall be from July 1 through the succeeding June 30.

## **ARTICLE VIII**

### **DISBURSEMENT OF FUNDS**

#### **Section 1.**

All disbursements of funds of this Local Union shall be made in accordance with the provisions of Article XXVI, Sections 4 and 5 of the International Constitution.

#### **Section 2.**

The funds of this Local Union, having been raised for the protection, assistance and relief of its members shall not be loaned, donated or contributed in excess of one thousand dollars (\$1,000.00). Any amount exceeding one thousand dollars (\$1,000.00) shall be by resolution presented, in writing, to the membership to be read at three consecutive meetings and voted upon at the third and final reading.

#### **Section 3.**

No money is to be paid out of the treasury except for current bills, unless authorized by the body at a regular meeting.

#### **Section 4.**

No individual members shall solicit other Local Unions for donations or contributions or sell tickets for any purpose whatsoever in the name of this Local Union, except by approval of this Local Union at a regular meeting.

#### **Section 5. Annual Picnic.**

(A) The number of tickets provided to each member for the Local 44 annual picnic shall be a minimum of two (2) and a maximum of the member and their dependents listed upon the beneficiary card on file at the Benefit Trust Office at the time of the picnic. Additional guests shall be charged the rate that the Local pays, per guest, by the service provider.

(B) A maximum of two (2) parking passes shall be available to each member if the service provider requires such accommodations. Additional passes may be requested and paid for in advance at the same rate the Local is charged.

(C) Notification for the picnic shall be mailed to the membership no later than three (3) weeks prior to the event date. When all conditions of this resolution are met, the proper number of tickets and parking passes will be issued and signed for by the member or their confirmed designee.

(D) Additional guests and parking passes must be paid for in advance and will be provided at the same “discounted” cost that the Local is charged. The Local will only accept request for tickets of any kind from members in “good standing” at the time of the request for tickets. “Good standing” shall be defined as set forth in Article II, Section 7 of the International Constitution.

(E) Anyone without a ticket will not be admitted for any reason. Any member in violation of this section shall be subject to charges in accordance with Article XXVI, Section 14 of the International Constitution.

## **ARTICLE IX**

### **DEATH BENEFIT FUND**

#### **Section 1.**

Local Union No. 44 will maintain a Local Union Death Benefit through Amalgamated Insurance Company for five dollars (\$5.00) per month, paid in advance or monthly for Journeymen and Apprentices. The benefit will be collected with the monthly membership dues and shall cover all members with three thousand five hundred dollars (\$3,500.00) Death Benefit, one thousand seven hundred and fifty dollars (\$1,750.00) for loss of an eye or limb and the Death Benefit is double regarding any accidental death, on or off of the job. This shall become effective January 1, 2007 or sooner.

#### **Section 2.**

(A) The benefit shall be payable to any member of Local Union No. 44 or any member working under an official service dues receipt pending transfer, and in good standing with a paid up service dues receipt of the Local Union.

(B) The benefit shall be payable to the lawful current spouse of the member or service dues person pending transfer, if living, and if deceased, or if the marriage has been lawfully dissolved, to the members or service dues person's children or if the member or service dues person leaves neither current lawful spouse nor children, then to the executor/executrix, administrator or otherwise legally designated personal representative of the member's estate.

#### **Section 3.**

Anyone who becomes two months in the arrears must have the approval of the Local Union to be eligible for the Local Benefit. The approval must be during a regular meeting by a vote of the members present.

#### **Section 4.**

All members in arrears regarding the current Death Benefit Fund are not eligible for either benefit until all arrearages are paid in full.

#### **Section 5.**

There shall be a review of the Death Benefit within two years to evaluate for its continuance. If not to be continued at the completion of the evaluation, the past Local Union Death Benefit shall be reinstated.

**Section 6.**

The operation of the Death Benefit Fund herein provided for shall be the sole responsibility of Iron Workers Local Union No. 44 and in no event shall any liability of any nature whatsoever accrue to the International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers as a result of the operation of this Fund.

## **ARTICLE X**

### **Section 1.**

Members of other Local Unions of this Association desiring permits must have their dues paid for the current month and must receive International permit and abide by the laws of the Local Union and the International Constitution.

### **Section 2.**

(A) No member of the Local Union or members of any other Local Union working in the jurisdiction of Local Union No. 44 will be permitted to haul tools or materials from office to job or from job to job or shop, with his personal truck, automobile or wagon.

(B) Members shall not haul by wagon, automobile, or truck or trailer, the contractor's equipment, such as welding machines, air compressors or air and gas bottles for cutting torches, etc., with the exception of finishing tools that can be carried in a 12x12x12 inch box, such as any mechanical or electrical hand tool that can be stored in this compartment.

(C) Such violations of the above shall cause charges to be filed against any members who violated the above as outlined in Article XXVI, Section 14 of the International Constitution.

(D) If any member is found guilty of these said charges above, they shall be fined no more than one hundred dollars (\$100.00) maximum fine.

**ARTICLE XI**

**APPOINTMENT OF COMMITTEES**

**Section 1.**

The President shall, in accordance with the provisions of Article XXVI, Section 2 of the International Constitution, appoint all Committees, and shall act as ex officio member of all such Committees.

**Section 2. Negotiating Committee.**

The Negotiating Committee will consist of the President, Business Manager, Business Agent, Financial Secretary-Treasurer and one member elected from the body at the regular election.

## **ARTICLE XII**

### **CHARGES AND TRIALS**

#### **Section 1.**

Charges against any member of this Local Union for violation of any of the provisions of these By-Laws or any provision of the International Constitution may be brought and processed in accordance with the provisions of Article XXVI, Section 14 of the International Constitution.

#### **Section 2.**

Any member of the International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers who destroys, defaces or damages Local Union property, such as building, premises, grounds, furniture, and automobiles, or any other item belonging to Local Union No. 44, will be subject to charges in accordance with Article XXVI, Section 14 of the International Constitution and if found guilty, will be fined not less than one hundred dollars (\$100.00) plus the actual cost of repairing or replacing damaged property.

#### **Section 3.**

Members of the International Association striking or causing physical or bodily harm to another member of this Association while on the premises of Local Union No. 44 shall be subject to charges in accordance with Article XXVI, Section 14 of the International Constitution. If found guilty, such member will be subject to a fine of not more than one thousand dollars (\$1,000.00).

#### **Section 4.**

Members of the International Association threatening, striking or causing physical or bodily harm to any officer of this Local Union, or subjects any officer of this Local Union to verbal abuse in any manner shall be subject to charges in accordance with Article XXVI, Section 14 of the International Constitution. If found guilty, such member will be subject to a fine of not more than one thousand dollars (\$1,000.00).

#### **Section 5.**

Any member doing any act or thing which is intended or likely to injure the Association, or to bring discredit upon it, or to hamper or interfere with the Association or its officers in attempting to accomplish any of its purposes, or to produce any result derogatory to the Association or its interests, shall be subject to charges in accordance with Article XXVI, Section 14 of the International Constitution. This applies to on or off the job site.

**Section 6.**

Any member engaging in conduct tending to interfere with the performance by the International Association or any affiliated Local Unions of its legal contracted obligations shall be subject to charges in accordance with Article XXVI, Section 14 of the International Constitution.

**Section 7.**

Any officer of this Local Union for inattention or neglect of duty as required of him in these By-Laws or International Constitution shall be subject to charges in accordance with the provisions of Article XXVI, Section 14 of the International Constitution. If such charges are sustained, the Trial Board may levy such penalties as may be deemed necessary.

**Section 8.**

Should it come to the attention of the President or Executive Committee that any member of this Local Union has violated any of the provisions of these By-Laws or International Constitution and no charges have been preferred against such member, it shall be the duty of the President or Executive Committee to prefer charges and proceed in accordance with the provisions of Article XXVI, Section 14 of the International Constitution.

**Section 9.**

All charges shall be filed and trials shall be conducted strictly in accordance with Article XXVI, Section 14 of the International Constitution.

**Section 10. Standards of Excellence.**

Any member who violates the provisions of the Ironworkers' Standards of Excellence shall be subject to charges in accordance with the provisions of Article XXVI, Section 14 of the International Constitution. If found guilty, such member may be fined for the first offense no less than one hundred dollars (\$100.00) or no more than one (1) day's pay including fringe benefits and working assessments.

## **ARTICLE XIII**

### **LABOR MARKET COMPETITION AND INDUSTRY DEVELOPMENT PROGRAM**

#### **Section 1.**

Our Local will create and fund a program to be known as the International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers Local Union No. 44 Labor Market Competition and Industry Development Program whereby a fund is created consisting exclusively of our Local's money which will be used for the exclusive purpose of promoting the organized Iron Workers Construction Industry within the jurisdiction of the Local by such means as job targeting, development grants on certain jobs, (by which employees on a job for which a lower rate has been established will be reimbursed by the program), advertising, educational programs, productivity studies, and related activities.

#### **Section 2.**

The Program will be funded initially by borrowing two hundred thousand dollars (\$200,000.00) from the Local Union General Fund. Ongoing funding will be from dues/fees paid by all employees working on projects under Local Agreement, except projects subject to the Davis-Bacon Act, in an amount equal to two percent (2%) of their gross earnings effective January 1, 1991. As the Program becomes self supporting, the initial funding shall be paid back to the Local Union General Fund.

This loan shall be made and governed by the Cognizant Term Note included in the Resolution.

#### **Section 3.**

The assets of the Program shall be maintained in a separate, segregated interest bearing account designed as the Iron Workers Local Union No. 44 Labor Worker Compensation Industry Development Fund.

#### **Section 4.**

The Program shall be administered by the Local Union under the general supervision of a special committee. This committee shall consist of, by virtue of their elected offices, the President, Business Manager, Business Agent and Financial Secretary-Treasurer. The committee is authorized to adopt the necessary documents to effectuate the purpose of this article.

#### **Section 5.**

The committee shall make a monthly report of the Program, including an accounting of its

assets, to the Executive Committee and the membership.

**Section 6.**

This Program, if approved by the membership, will be in effect for two (2) years, at which time it will be reviewed by the committee and a recommendation made to the membership. The membership shall decide by secret ballot whether to continue this plan.

**Section 7.**

In the event that the Program is terminated by the membership, the dues/fees transfer will immediately cease, the fund will be liquidated, and assets turned over to the General Fund.

**Section 8. Salting.**

(A) The Organizing Committee of Local Union No. 44 shall be empowered to authorize members to seek employment by non-signatory contractors for the purpose of organizing the unorganized.

(B) The unemployed members shall report to the Business Manager for the purpose of assisting as needed in the organizing program.

(C) The Organizer of Local Union No. 44 shall maintain records of all members authorized to seek employment by non-signatory employers, including dates of authorization, dates of employment, and all other pertinent information.

(D) Such members, when employed by non-signatory employers, shall promptly and diligently carry out their organizing assignments, and leave the employer or job immediately upon notification.

(E) The benefit package and wage difference shall be paid for the member authorized while employed by the non-signatory contractor. Check stubs must be presented each week as proof for hours worked.

(F) Any member accepting employment by a non-signatory employer, except as authorized by this section of the By-Laws, shall be subject to charges and discipline in accordance with the provisions of Article XXVI, Section 14 of the International Constitution.

**ARTICLE XIV**

**AMENDMENTS**

**Section 1.**

(A) Any proposed change or amendment in these By-Laws must be presented, in writing, in the form of a resolution and signed by the member or members submitting the amendment or amendments. The resolution to amend must set forth, specifically, the revisions, additions, or deletions proposed, and shall be referred to a Committee on By-Laws who shall report at the next regular meeting whether or not the proposed changes or amendments conflict with existing laws of the International Union or By-Laws or By-Laws of this Local Union.

(B) If the report of the By-Laws Committee is favorable, the resolution shall be read at three (3) consecutive meetings of the Local Union. The membership must be notified at least fifteen (15) days prior to the last and final reading of the resolution.

(C) If the proposed amendment or amendments receive a majority vote of all members present at the third consecutive meeting, copies of such amendment or amendments, shall be forwarded to the General Executive Board and shall not become effective unless or until approval of same has been received by the Local Union from the General Executive Board.

**Section 2.**

Any amendment presented to the membership of the Local Union which relates to financial matters must be voted on by secret ballot.

**ARTICLE XV**

**EFFECTIVE DATE**

These By-Laws, when approved by the General Executive Board of the International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers, shall become effective immediately upon receipt of notification of such approval, and all previous By-Laws, if any, shall thereafter be considered null and void and shall have no further force or effect.

**ARTICLE XVI**

**PREVIOUS LAWS**

Any and all provisions of any prior By-Laws, whether in conflict herewith or not, are abandoned, canceled, and not to be considered as any part of this Local Union No. 44 By-Laws.

**Approved by the General Executive Board on December 3, 2008.**