

**CONSTITUTION
OF THE
UPPER PENINSULA
REGIONAL LABOR FEDERATION
OF MICHIGAN, AFL-CIO**

Approved AUGUST 6, 2015

TABLE OF CONTENTS

| <u>ARTICLE</u> | <u>PAGE</u> |
|--|--------------------|
| PREAMBLE | 1 |
| ARTICLE I- NAME AND AFFILIATION | 2 |
| ARTICLE II- PURPOSE | 2 |
| ARTICLE III- COMPOSITION AND DELEGATES | 2 |
| ARTICLE IV- VOTING | 4 |
| ARTICLE V- MEETINGS&COMMUNICATIONS | 5 |
| ARTICLE VI- OFFICERS | 7 |
| ARTICLE VII-DUTIES OF OFFICERS | 8 |
| ARTICLE VIII-EXECUTIVE BOARD | 9 |
| ARTICLE IX-ELECTIONS AND VACANCIES | 10 |
| ARTICLE X-COMMUNITYLABOR COUNCILS | 12 |
| ARTICLE XI- CHARGES AND HEARINGS | 12 |
| ARTICLE XII- PER CAPITA TAXES AND FEES | 13 |
| ARTICLE XIII- FINANCIAL PRACTICES AND AUDITS | 14 |
| ARTICLE XIV- LISTS | 16 |
| ARTICLE XV- COMMITTEES | 16 |
| ARTICLE XVI- LEGISLATIVE AND POLITICAL ACTION | 17 |
| ARTICLE XVII- COLLECTIVE BARGAINING, STRIKES AND BOYCOTTS | 18 |
| ARTICLE XVIII- RULES, PARLIAMENTARY AUTHORITY AND AMENDMENTS | 18 |
| ARTICLE XIX - OATHS OF OBLIGATION | 19 |

**OF THE
UPPER PENINSULA
REGIONAL LABOR FEDERATION OF MICHIGAN, AFL-CIO**

PREAMBLE

The Upper Peninsula Regional Labor Federation of Michigan, AFL-CIO is committed to working together to build grassroots power, coordinating work on common campaigns, and pooling our resources to maximize the Labor Movement's effectiveness through our area of the state. This constitution sets forth our commitments to the working people in the following counties: Alger, Baraga, Chippewa, Delta, Dickinson, Gogebic, Houghton, Iron, Keweenaw, Luce, Mackinaw, Marquette, Menominee, Ontonagon, and Schoolcraft, to our affiliated Locals, and to the less developed local movements in our area to support each other and mobilize our members to achieve these goals.

As a labor organization, we recognize the need to improve the lives of and increase power for working families, bring fairness and dignity to the workplace and secure social equity. We will accomplish this by mobilizing our members to support our causes and through building a strong, diverse, free and democratic labor movement.

We will organize workers into unions, allied by common purposes and mutual reliance. We will recruit generations of organizers, amass resources to sustain their efforts and inspire workers to achieve dignity and security through organization and collective bargaining. We will generate broad understanding among our members of the necessity of organizing among our members, our leaders and all unorganized workers.

We will give political voice to workers in our region. We will fight for a public policy agenda favorable to working families at all levels of government. We will assemble a broad progressive coalition for social and economic justice. We will create a political force within the labor movement that will speak forcefully and persuasively on the public issues that affect our lives.

We will establish unions as active forces in our communities. We will make the voices of working families heard in our neighborhoods. We will foster vibrant Community-Labor Councils. We will strengthen the ties of labor with our allies. We will speak out effectively and creatively on behalf of all workers in our communities.

With confidence and trust in the inherent power and goodness of our people and the promise of unionism, we proclaim this Constitution.

ARTICLE I- NAME AND AFFILIATION

This organization shall be known as the Upper Peninsula Regional Labor Federation of Michigan, AFL-CIO, hereinafter referred to as the U.P. RLF. It shall at all times maintain affiliation with the American Federation of Labor and Congress of Industrial Organizations and conduct all of its affairs in accordance with the Constitution of the AFL-CIO and the *Rules Governing AFL-CIO Regional Labor Councils and Central Labor Councils* of that organization. As a chartered organization of the AFL-CIO, this U.P. Regional Labor Federation shall conform its activities on state matters to the policies of the Michigan AFL-CIO, and on national affairs to the policies of the AFL-CIO.

ARTICLE II- PURPOSE

The objectives of the U.P. RLF shall be to promote, through appropriate activities in the geographical region covered by the U.P. RLF, the principles of the American Federation of Labor and Congress of Industrial Organizations, including the following:

- (a) To assist in furthering the programs and policies of the AFL-CIO, or of organizations affiliated with the AFL-CIO provided such programs or policies are not inconsistent with the objects or policies of the AFL-CIO;
- (b) To build a strong political voice for working families by engaging them in the political and legislative process on a year-round basis;
- (c) To build labor, political, community and religious support to advance affiliates organizing and contract campaigns;
- (d) To build a strong local labor movement of working people through mobilization and education to support working families agendas;
- (e) To build coalitions with allies to fight for working families agendas;
- (f) To build a united and effective public voice for working families by fostering strong diverse unions that work actively and positively in their communities around common goals;
- (g) To provide coordination of AFL-CIO programmatic goals to the Community-Labor Councils and recognized chapters in the defined geographic jurisdiction, while at the same time respecting each organization's autonomy.

ARTICLE III- COMPOSITION AND DELEGATES

Section 1. The U.P. RLF shall be composed exclusively of the following organizations within the geographic boundaries covered by the U.P. RLF's Charter and shall conform to this constitution and the rules and regulations adopted pursuant thereto:

- (a) Local Unions of National and International Unions and organizing committees affiliated with the AFL-CIO, and Local Unions chartered directly by the AFL-CIO, which have members who live or reside in the U.P. RLF jurisdiction;
- (b) Local Unions with Solidarity Charters and Unity Partnerships authorized by the Executive Council of the AFL-CIO, for so long as it remains in effect;
- (c) Local Councils chartered by the Trade and Industrial Departments of the AFL-CIO;

- (d) Joint Boards, District Councils, and similar subordinate organizations, which are duly chartered by an affiliate of the AFL-CIO;
- (e) Alliance for Retired Americans State Chapter and Local Union Retiree Organizations;
- (f) Established AFL-CIO Constituency Groups in good standing in the jurisdiction of the U.P. RLF;
- (g) Community Labor Councils recognized by the U.P. RLF, either as successor organizations to formerly chartered Central Labor Councils in existence prior to the time the U.P. RLF was chartered, or newly organized later in areas where an AFL-CIO organizational presence is needed. (Throughout this constitution, the term "Community-Labor Council" shall refer to an organization with the same definition and status as the term "chapter" under the AFL-CIO Constitution and the Rules Governing Area and Central Labor Councils).

Section 2. Affiliated local unions in good standing shall be entitled to representation based on per capita tax paid according to the following schedule:

| | |
|--------------------|-------------|
| 50 members or less | 1 delegate |
| 51-100 members | 2 delegates |
| 101-200 members | 3 delegates |
| 201-400 members | 4 delegates |
| 401-700 members | 5 delegates |
| 701-1100 members | 6 delegates |

One additional delegate for each additional 500 members or major fraction thereof above 1100.

Section 3.

- (a) Affiliated subordinate bodies other than local unions as listed in Section 1 (c-g) of this Article shall be entitled to one delegate and one vote.
- (b) No AFL-CIO constituency group or the Alliance for Retired Americans, or its delegate, may be present for or have voice or vote in any meeting or proceeding concerning the endorsement of a political candidate or other partisan political activity concerning public elective office by this U.P. RLF; nor may any AFL-CIO constituency group, or its delegate, be present for or have voice or vote in any meeting or decision of this U.P. RLF Committee on Political Education.

Section 4. The U.P. RLF will maintain a uniform procedure and provide standardized forms for affiliated unions to designate delegates to the U.P. RLF. Any member-in-good-standing of an affiliated organization that lives and/or works in the jurisdiction of a Community Labor Council shall be admitted to Council meetings and shall be eligible to participate and vote, regardless of whether he/she is a delegate to the U.P. RLF.

Section 5. Disqualifications: No person shall be eligible to serve as a delegate or officer unless, at the time of taking office and at all times thereafter, he or she is a member in good standing of a local union affiliated with this U.P. RLF, or is a District, State, National or International Union representative regularly servicing an affiliated union.

- (a) No person shall be eligible to serve as a delegate who holds a salaried position, or any other position of administrative or executive authority, in a union or any subordinate branch of a union, that is suspended from, unaffiliated with or disaffiliated from the AFL-CIO.
- (b) No person shall be eligible to serve as a delegate or an officer of the Executive Board, a member of any committee of the U.P. RLF, or as a representative, agent or employee of this organization who consistently pursues policies and activities directed towards the achievement of the programs or purposes of authoritarianism, totalitarianism, terrorism and/or other forces that suppress individual liberties and freedom of association.

Section 6. Credentials: No delegate shall be seated except upon presentation of a proper credential from an affiliate organization in good standing, which credential shall be examined and attested to by the Credential's Committee as to the eligibility of the delegate and the standing of the organization sending the delegate. The report of the Credential's Committee shall not be made until the Committee shall have had adequate opportunity to examine the credential and to ascertain its validity, but in no case shall the report be delayed beyond the meeting following the meeting at which the credential was first presented. Upon acceptance of a delegate's credential, the presiding officer shall administer the delegate oath of obligation contained in Article XVIII, Section 1.

Section 7. Absence: Absence from three (3) consecutive meetings of the U.P. RLF without an acceptable excuse shall be sufficient grounds for declaring a delegate's seat vacant, following which the Recording Secretary shall in writing notify the delegate's organization of the absences and that he/she has been removed from delegate status. The affiliate will be asked to assign a new delegate to be seated. The delegate who has been removed may not be reappointed to delegate status for a period of one (1) year.

Section 8. Diversity: The U.P. RLF will undertake all reasonable efforts to ensure diversity of representation at every level. All affiliated organizations that are entitled to more than one delegate will be encouraged to seek out people of color, women, and LGBTQ members to serve as delegates.

ARTICLE IV - VOTING

Section 1. Except on roll call votes, each delegate shall be entitled to one vote. Voting shall be by voice vote or division of the house (show of hands or standing vote) unless a roll call vote is properly demanded by the required number of delegates as provided for in Section 2 of this Article. No delegate shall be permitted to cast the proxy of another delegate and no delegate shall be allowed to represent more than one organization.

Section 2. A roll call vote shall be held on any pending question upon demand of thirty percent (30%) or more of the delegates present.

Section 3. The number of votes to which a local union is entitled on roll call votes shall be the average number of members as determined in accordance with Section 4 of this Article.

Section 4. The average membership of a local union shall be determined on the basis of per capita tax payments for the first twelve of the immediately preceding thirteen months. The average membership of a local union affiliated for less than this twelve months period shall be computed from the month of affiliation, and shall be determined by dividing the total per capita tax paid for all months affiliated by twelve. The affiliation date of all affiliates shall be the date that its initial per capita tax check is first receipted into the ledgers of the U.P. RLF.

Section 5. The votes of a local union shall be divided equally among all its accredited delegates present and each delegate shall be entitled to cast only his/her assigned number of votes. To facilitate the calling of the roll, one delegate may be designated by the delegates representing that local union to cast all of the votes of the delegates representing the local union, provided that if any delegate shall challenge the correctness of the votes so cast, the individual delegates of that local union shall be polled.

Section 6. The Treasurer shall maintain, on a current basis, the official roll of affiliates, showing the average membership of each local union as established under the provisions of Article IV, Section 3 and 4.

ARTICLE V– MEETINGS& COMMUNICATIONS

Section 1. It will be the policy of the U.P. RLF to utilize state of the art technology whenever possible, available and appropriate, to assure that leaders and delegates have convenient access to fully participate in U.P.RLF and Community Labor Council meetings and votes. These steps will include, but are not limited to: teleconferencing, webinars, Skype, email, faxing, and other communications tools. All U.P. RLF delegate meetings will be conducted in a way that assures that delegates at every Community Labor Council can join the meeting remotely, with the understanding that weather, technology failure, and other circumstances beyond the U.P. RLF's control may impede or prevent reaching this goal for a given meeting.

Section 2. The U.P. RLF will continually seek out and consider creative options for building region-wide solidarity through greater leader and member participation in meetings and events, including the geographic rotation of meetings and activities, holding meetings and events at varying times and on weekends, and other options the Board and delegates deem useful.

Section 3. U.P. RLF meetings and Community Labor Council meetings will be held at times, dates, and locations recommended by the Council and approved by the U.P. RLF Board. All RLF meeting and event notices will specify whether the times are Eastern or Central time. Normally, the CLC meetings will be held at 6:30 PM, followed by the U.P. RLF meeting at 7:30 PM on the same night. The Board will develop and distribute to delegates and affiliate leaders an annual schedule of dates, times, and a rotation of U.P. RLF meeting locations to assure reasonable accessibility to affiliates and delegates throughout the U.P. RLF jurisdiction. If a Community Labor Council has not completed its local business prior to the convening of the U.P. RLF meeting, it will recess and reconvene after the U.P. RLF meeting is adjourned.

Section 4. At Least one U.P. RLF (at-large) officer will plan to attend every Community Labor Council meeting.

Section 5. U.P. RLF Executive Board Meetings will be held on dates, at times, in locations set by the Board and accessible to as many Board members as is reasonable. All Board members and affiliates will be notified at least 10 days in advance of meeting locations, dates and times.

Section 6. Affiliate Principal Officers are welcome to attend U.P. RLF Executive Board, with 24 hour advance notice to the U.P. RLF President. Affiliate Principal Officers, who are not delegates, may also attend delegate meetings, with 24 hour advance notice to the U.P. RLF President. All other guests may only attend delegate meetings or Executive Board meetings at the invitation of the U.P. RLF President and/or by prior vote of the Executive Board. Other guests may only attend a Community Labor Council meeting at the invitation of the U.P. RLF President or the respective Area VP, and/or by prior vote of the Executive Board.

Section 7. Special meetings for consideration of specific matters shall be held when: (a) called by the President of the U.P. RLF; (b) requested in writing of the majority of the Executive Board; or(c) petitioned by locals representing 30% of the locals or affiliated membership of the U.P. RLF. Written notice of special meetings shall be given to all affiliated organizations and to all Executive Board members at least fifteen days in advance of the meeting. The matter, or matters, for consideration at the special meeting shall be stated in the notice and no other business shall be transacted. Credentials and other pertinent documents for the meeting shall be enclosed with the call of the meeting.

Section 8. Motions to raise per capita tax or fees and for the casting of votes to fill an Officer or Executive Board vacancy require the opportunity for exchange of dialogue, so they may not be conducted by email or fax. Otherwise, any discussions and votes in any meeting that is conducted through use of the tools referenced in Sections 1 and 2 above will carry the same full force and effect as those carried out in person.

Section 9. The President of the AFL-CIO and his/her designees shall have the right to participate and have a voice in all U.P. RLF and CLC activities, meetings, and deliberations.

Section 10. The U.P. RLF Board and staff, with the Community Labor Councils, shall institute and maintain a regular U.P. RLF newsletter and an U.P. RLF web site that will include space for Community Labor Councils to announce mobilizations and meetings, and present other U.P. RLF and Community Labor Council news to union leaders and member families. The meeting schedule of delegate body, Executive Board, and Community Labor Council will be posted on the web site and listed in the newsletter.

Section 11. Delegates equaling fifty percent (50%) plus one of the U.P. RLF Executive Board and representing a sufficient number of different affiliates to insure a broad representation of the council's affiliates, but no less than five (5) different affiliated local

unions, shall constitute a quorum for transaction of business at an U.P. RLF delegate meeting.

Section 12. All meetings shall be governed by the U.P. RLF Constitution, the Constitution of the AFL-CIO and its Rules Governing Area Labor Councils and Central Labor Councils and Robert's Rules of Order (Revised).

ARTICLE VI – OFFICERS

Section 1. The officers of the U.P. Regional Labor Federation shall consist of:

- (a) President (***Elected at large***)
- (b) Executive Vice President (***Elected at large***)
- (c) Recording Secretary (***Elected at large***)
- (d) Treasurer (***Elected at large***)
- (e) Five (5) Area VPs, who shall be the elected Chairs of each Community Labor Council.

(If a Chair is also an at-large U.P. RLF officer, another delegate will be elected by that Community Labor Council to represent the Council.)

Section 2. The U.P. RLF Executive Board shall consist of the officers listed above, and the following Board members:

- (a) Five (5) At-Large Board Members, 1 from each of 5 different affiliated International Unions
- (b) One (1) AFL-CIO Constituency Group representative
- (c) One (1) ARA Representative
- (d) Five (5) Young Worker Representatives – one (1) from each Community Labor Council

From among the sitting Executive Board members, the President shall nominate and the Board shall confirm three (3) Trustees, who shall not be any person who has authority to sign checks or otherwise disburse funds.

Section 3. To assure broad representation in the U.P. RLF leadership, the at-large officers of the U.P. RLF (President, Executive VP, Secretary, and Treasurer) will not be members of the same International Union, and the President and Executive VP must be from different Community Labor Councils. The U.P. RLF and its affiliates will make every effort to identify and develop leadership opportunities, including election to U.P. RLF office, for members representing the full breadth of our diverse unions, including women, people of color, ethnic and religious minorities, young workers, Veterans, LGBTQ, and the disabled.

Section 4. The Executive Board shall have the power, in the event of a major new affiliation with the U.P. RLF, after taking all the circumstances into account, to create an additional

Executive Board position, pending the next regular election of Executive Board members, and to select a member of such new affiliate to fill that position until the next regular election of officers.

ARTICLE VII - DUTIES OF OFFICERS

Section 1. The President shall: be the presiding officer of all meetings of the U.P. RLF and of the Executive Board; countersign all orders for the payment of funds of the U.P. RLF. The President will exercise general supervision over the affairs and activities of the U.P. RLF between Executive Board meetings, and is expected to consult regularly with Executive Board members, by phone, fax, e-mail or in person; have the power to interpret the Constitution, subject to ratification of the U.P. RLF; be an ex-officio member of all committees and perform such other duties as usually pertain to the office and as may be ordered by the U.P. RLF or the Executive Board. The President shall enforce the provisions of the Constitution and appoint committees not otherwise provided for. S/He shall be a member ex-officio of all committees. The President may appoint as many Sergeants-at-arms as necessary to assist in maintaining order and in the conduct of meetings of the U.P. RLF. The President shall serve as Chair of the screening committee for recruitment and recommendation for hiring of staff. A representative of the AFL-CIO shall be invited to participate on this committee. The President shall appoint additional members from the Executive Board to serve on this committee. The President shall be an authorized signatory on all U.P. RLF accounts. The President shall automatically be the first delegate representing the U.P. RLF at any convention or event that requires delegate status, where the U.P. RLF chooses to send one or more delegates.

Section 2. The Executive Vice President shall: assist the President in the discharge of her/his duties and shall attend all Executive Board and delegate meetings, and such other meetings to which he is assigned by the President or Executive Board. In the absence of the President the Executive Vice President shall assume the duties of the President. The Executive Vice President shall be an authorized signatory on all U.P. RLF accounts. When the President will not be attending any convention or event that requires delegate status, the Executive Vice President shall automatically be the first alternate delegate representing the U.P. RLF, if the U.P. RLF chooses to send one or more delegates.

Section 3. The Treasurer shall be the custodian of the financial records of the U.P. RLF; receive and disburse all funds of this U.P. RLF upon proper authorization; maintain adequate financial records showing the standing of all affiliated organizations and the source and disposition of all funds; manage the funds and keep the financial records in a manner which generally conform with acceptable accounting standards and abide by those accounting and financial controls as may be approved by the Executive Council of the AFL-CIO or Secretary-Treasurer of the AFL-CIO under the *Rules Governing AFL-CIO Regional Labor Councils and Central Labor Councils*; submit to the U.P. RLF a monthly financial statement of all funds, showing the accounts in such detail as the Executive Board or the U.P. RLF may require; and submit the books for audit on request of the Executive Board. The Treasurer shall be an authorized signatory on all U.P. RLF accounts. The Treasurer shall compile the U.P. RLF lists, as required by Rule 24 of the *Rules Governing AFL-CIO Area Labor Councils*

and Central Labor Councils. Staff may be assigned some of the aforementioned administrative duties, but may not administer or disburse funds.

Section 4. The Recording Secretary shall be the custodian of the records of the U.P. RLF; keep a correct record of the proceedings of all meetings of the Board and of the Executive Board; names, addresses and contact information of delegates; copies of all correspondence sent and received; notify delegates of meetings and shall carry on correspondence connected with the business of the U.P. RLF.

Section 5. The Area VPs, for activities solely within the jurisdiction of their respective Community Labor Councils, shall be responsible for directing program efforts, generating member mobilization, presiding over COPE endorsement activity, and generally overseeing political and legislative action. Each Area VP will serve as the liaison between his/her Council and the U.P. RLF Executive Board, other Community Labor Councils, the delegate body, and the U.P. RLF staff. The Area VPs will preside over the meetings in their respective Councils, and will communicate U.P. RLF policies and priorities to affiliates and allies in their area.

Section 6. The Trustees shall be the custodians of the physical properties of the U.P. RLF and shall prepare and maintain an inventory of all such properties showing the date of purchase, the cost and estimated current value. They shall examine the records of the Treasurer quarterly and shall issue a written report to the Executive Board and delegates on the condition of these records. The Trustees shall prepare and submit an audit to the Secretary-Treasurer of the AFL-CIO semi-annually in a format prescribed by the AFL-CIO.

ARTICLE VIII - EXECUTIVE BOARD

Section 1. The Executive Board shall be composed of all the elected members enumerated in Article VI, Section 2.

Section 2. The Executive Board shall be the governing body of the U.P. RLF. It is authorized and empowered to take such action and render such decisions as may be necessary to carry out fully the decisions and instructions of the Board and as may be necessary and appropriate to safeguard and promote the best interests of the Board and its affiliated unions. Each Executive Board member shall be entitled to one (1) vote.

Section 3. The President or his/her designee shall chair, and the other officers shall serve on, the Strategic Planning Committee, defining the goals and work plan for Michigan's union movement in the U.P. RLF jurisdiction.

Section 4. The Executive Board shall meet on the call of the President when a special meeting is necessary.

Section 5. The Executive Board shall have the power to make a temporary appointment to any office not otherwise provided for in this Constitution for the period of a temporary

disability or the absence of an officer or, in case of a permanent vacancy, until a special election has been held.

Section 6. A quorum for transaction of the business of the Executive Board shall consist of the majority of its members.

Section 7. Every Executive Board member and employee of this U.P. RLF, whether elected or appointed, has a high fiduciary duty and sacred trust to serve the best interest of the members honestly and faithfully.

- (a) All officers and employees having fiscal responsibility shall be bonded.
- (b) No officer or employee shall own property or have a personal financial interest which conflicts with the full performance of his/her fiduciary duties.
- (c) All officers and employees shall abide by the applicable standards of conduct mandated by the *AFL-CIO Ethical Practices Code*.

ARTICLE IX – ELECTIONS AND VACANCIES

Section 1. Nominations for all Executive Board members shall take place at the regular meeting in October, and the elections shall take place at the regular meeting in December. The first election will be in the year 2014, with a term of office of three years. Thereafter, elections will be every fourth odd numbered year, with four year terms of office.

Section 2. No individual shall be eligible to serve as an officer, member of the executive board or committee or other governing body of, or any other committee of, or as a delegate from, or as a representative, agent or employee of the U.P.RLF who consistently pursues policies and activities directed toward the achievement of the program or purposes of authoritarianism, totalitarianism, terrorism and other forces that suppress individual liberties and freedom of association. No person shall be eligible to serve in any of the aforementioned capacities who holds a salaried position or any other position of administrative or executive authority in a union, or any subordinate branch of a union, that is suspended from, unaffiliated with, or disaffiliated from the AFL-CIO.

Section 3. In accordance with the *AFL-CIO Ethical Practices Code*, no person who is convicted of any felony involving the infliction of grievous bodily injury, any crime of dishonesty, or any crime involving abuse or misuse of such person's position, shall serve as an officer or managerial employee of the U.P.RLF.

Section 4. All Executive Board members shall at all times be members in good standing with the U.P. RLF and with an organization affiliated with the U.P. RLF. If an officer ceases to be in good standing, the office shall be declared vacant and filled in accordance with Article VII. These provisions shall not apply to an office that the Executive Board or delegates designate as paid positions with the U.P. RLF.

Section 5. No less than thirty days prior to the election of officers, the President shall appoint an Elections Committee subject to the approval of the Executive Board. Members serving on

the Election Committee shall not be candidates for any office. Election Committee members shall also serve as ballot clerks. The Election Committee shall verify that all affiliates casting ballots are eligible to vote under the provisions of this constitution. The chairperson of the Election Committee shall obtain confirmation from the Treasurer that all candidates are in good standing and eligible. Immediately after the completion of the election, the Election Committee shall prepare a written signed report showing the number of votes cast for each candidate. This report and ballots shall be presented to the Treasurer. The Election Committee shall review election appeals in accordance with Article VII, Section 8.

Section 6. No less than 30 nor more than 120 days prior to an election of Labor Federation officers, the U.P. RLF Secretary and Treasurer shall compile and notify each affiliated organization of the availability of a list containing the following information: (i) the name and address of each of the U.P. Regional Labor Federation's elected officers (including Executive Board members); (ii) the name and mailing address of each of the organizations affiliated with the RLF; (iii) the name of each of the affiliated organization's principal officers; (iv) each organization's projected per capita voting strength and delegate entitlement at the election; and (v) to the extent available, the names and mailing addresses of the delegates. Officers of organizations affiliated with the U.P. RLF shall also be entitled to inspect at the place where the records are kept and to make their own notes concerning the most current underlying records relating to the information included in the list provided above. The U.P. RLF shall also compile and notify each affiliated organization of the availability of a list containing the information set forth above in each non-election year in the same month in which the information was last provided.

Section 7. The election shall be held in accordance with Rule 9(b) of *the Rules Governing AFL-CIO Regional Labor Councils and Central Labor councils*. The election of contested officers shall be held by voice vote, division of the house or roll call. Election ballots shall be signed by the delegates casting the ballot and shall show the affiliate name, organization and the number of votes cast. It shall require a majority vote to elect officers. In cases where no candidate for a particular office receives a majority on the first vote, all but the two candidates for that office receiving the greatest number of votes shall be eliminated and a second vote shall be taken.

Section 8. Ballots shall become part of the records of the U.P. RLF and shall be preserved and available for examination by any delegate or officer of an affiliated organization for a period of not less than six months, or until any election challenge and appeal are finally resolved, whichever is later.

Section 9. Installation of officers shall be held at the conclusion of the election, except that an officer-elect who is unavoidably absent shall be installed at the earliest possible meeting following the election, or may be given the obligation at a meeting of the Executive Board.

Section 10. In the event of a vacancy in any office, the Executive Board shall have the power to make a temporary appointment to any office not otherwise provided for in this

Constitution for the period of a temporary disability or the absence of an officer or, in case of a permanent vacancy, until a special election has been held.

Section 11. A candidate for office or an affiliated organization may make a protest of the U.P. RLF election of any officer or executive board to the Elections Committee within 30 days of the certification of the election. The Election Committee shall review the protest in accordance with the appropriate provisions of Article X of this Constitution.

ARTICLE X—COMMUNITY LABOR COUNCILS

Section 1. Each Community Labor Council will decide its local policies, program and operation procedures, so long as they are not in conflict with the U.P. RLF constitution, the AFL-CIO Constitution, or the Rules Governing Area and Central Labor Councils.

Section 2. The U.P. RLF will assist the Community Labor Councils in planning and carrying out local programs when requested, but each Community Labor Council will oversee the mobilization activity, political and legislative action, organizing support and solidarity work in their own jurisdictions.

Section 3. Each Community Labor Council may adopt policies and procedures as needed to carry out its program.

Section 4. Community Labor Councils shall meet at times and dates and at locations that they determine are appropriate, but will meet at least once every month. Normally, the CLC meetings will be held at 6:30 PM, followed by the U.P. RLF meeting at 7:30 PM on the same night. The Board will develop and distribute to delegates and affiliate leaders an annual schedule of dates, times, and a rotation of U.P. RLF meeting locations to assure reasonable accessibility to affiliates and delegates throughout the U.P. RLF jurisdiction. If a Community Labor Council has not completed its local business prior to the convening of the U.P. RLF meeting, it will recess and reconvene after the U.P. RLF meeting is adjourned.

Section 5. The Area VP shall represent the Community Labor Council on the Executive Board and shall preside at Council meetings. Other than the Area VP, the Community Labor Council will decide its own local leadership/officer structure by consensus or majority vote. Such structure may only be altered within 60 days of a new term of office for the U.P. RLF Executive Board, and will remain in effect throughout that term of office.

ARTICLE XI – CHARGES AND HEARINGS

Section 1. Any affiliated organization by vote of its membership, or any officer of or delegate to the U.P. RLF shall have the right to file charges (a) against any delegate to the U.P. RLF for having engaged in conduct or a course of activity hostile or contrary to the best interests of this U.P. RLF, or its constitution, or (b) against any officer of this U.P. RLF for violating the Constitution or rules of the AFL-CIO or the Constitution of this U.P. RLF, or for conduct

unbecoming an officer, misappropriation of funds, malfeasance in office or neglect of duty, or (c) against any organization affiliated with the U.P. RLF for having engaged in conduct or a course of activity hostile or contrary to the best interests of the U.P. RLF or contrary to this Constitution.

Section 2. All charges or election protests (Article VII, Section 8) shall be in writing, specifying the particular act or acts charged; shall be signed by the charging party or by its officers, if an affiliated organization; and shall be filed with the President or the Treasurer of the U.P. RLF, or with any other Executive Board member of the U.P. RLF, if both the President and the Treasurer are charged.

Section 3. Upon receipt of the charges or protest properly filed, the officer receiving same shall copied them to the Executive Board within fifteen (15) days and the Executive Board shall determine by majority vote whether or not the charges or protest merit a hearing. Elections protests shall be filed first with the Elections Committee, which shall report its findings to the Executive Board within thirty days.

Section 4. If a hearing is warranted, all parties to the dispute shall be given adequate notification of not less than thirty days of the hearing date, along with a copy of the charges or protest and a record of action taken by the Executive Board or Election Committee to date. Both the accused and the charging party shall be accorded full opportunity to be heard and to present evidence.

Section 5. Following a hearing, the Executive Board may take appropriate action, including: in the case of charges, the suspension or expulsion of any delegate or affiliated organization, and the suspension or removal of any officer found guilty of the charges by a two-thirds vote. In the case of an election protest, order appropriate remedies up to and including the rerun of the election.

Section 6. The decision of the Executive Board shall notify all parties of its decision within thirty days after the hearing. Said notification shall be sent by certified mail.

Section 7. The decision of the Executive Board may be appealed to the President of the AFL-CIO within thirty days of receipt of notification. The decision of the Board shall remain in effect during the appeal unless reversed, modified or temporarily stayed by the President of the AFL-CIO.

Section 8. In accordance with Rule #26 of the *Rules Governing AFL-CIO Regional Labor Councils and Central Labor Councils*, no organization or individual seeking redress under this Article shall resort to any court until all relief within the AFL-CIO as provided for within this Constitution, the Rules Governing AFL-CIO Regional Labor Councils and Central Labor Councils and the Constitution of the AFL-CIO is exhausted.

ARTICLE XII- PER CAPITA TAXES AND FEES

Section 1. Affiliated local unions shall pay a monthly per capita tax of \$.25 per member per month on all its members within the jurisdiction of this U.P. RLF.

Section 2. Other affiliated organizations (as defined in Article III, Section 1), shall pay an annual fee of \$25. Each organization shall pay one year's fee at the time of affiliating. The annual fee for succeeding years shall be due no later than January 15, and if not paid by the first of February, the organization shall be deemed in arrears.

Section 3. The Treasurer shall notify a local union or other organization that becomes two months in arrears of the delinquency in writing. If it becomes three months in arrears it shall not be considered in good standing and shall not be entitled to voice or vote in meetings of this U.P. RLF. The organization and the U.P. RLF Executive Board shall be so notified in writing by the Treasurer.

Section 4. A local union or other organization that becomes four months in arrears shall stand suspended from membership, and it and the U.P. RLF Executive Board shall be so notified in writing by the Treasurer.

Section 5. A local union or other organization which has been suspended, or which has withdrawn from membership, may be reinstated by payment of all amounts due at the time of suspension or withdrawal and the current per capita tax or annual fee. However, the average membership of a reinstated local union, for purposes of roll call voting, shall be calculated from the date of reinstatement as if it were a newly affiliated local union. A union that has been suspended for nonpayment of per capita tax may pay only the amounts in arrears, but cannot pay for additional months to increase voting strength. The Executive Board shall be notified by the Treasurer of any organization that is reinstated.

Section 6. The Executive Board, after reviewing written requests for exoneration may exonerate any local union from payment of per capita tax for any month that it deems just cause for such exoneration exists. The Executive Board at each quarterly meeting shall review exonerations. Board members representing such local shall not vote on the question of exoneration. It is the responsibility of the affiliate to provide quarterly updates to the Executive Board. Members and delegates of exonerated organizations shall be regarded, for purposes of this Constitution, as paid up members for the period of exoneration with full voting rights.

ARTICLE XIII-FINANCIAL PRACTICES AND AUDITS

Section 1. All funds of this U.P. RLF shall be placed on deposit in a national bank or other federally insured financial institution, as designated by the Executive Board and shall be paid out only by check bearing two signatures from among the President, Executive V.P. and the Treasurer. All invoices, receipts and other supporting documents shall be attached to a voucher and shall be approved by the Treasurer. All checks shall require the signature of two of these officers.

Section 2. The accounts and financial records of the U.P. RLF, including those of all committees and subordinate agencies of the U.P. RLF, shall be audited quarterly by the organization's trustees within 60 days of the close of the quarter, and shall cover the preceding calendar quarter. Upon completion of the audit, an audit report shall be issued to the Executive Board, delegate body, and to affiliates. Within 60 days of the close of the 2nd and 4th quarters, the Trustees shall file an electronic copy of a semi-annual audit with the AFL-CIO. The Executive Board may require more frequent audits or examination of the accounts and financial records of the Treasurer at its discretion.

Section 3. All officers and agents of the U.P. RLF having a financial responsibility shall be covered by a fidelity bond in an amount to be determined by the Executive Board, or as may be required by the Secretary-Treasurer of the AFL-CIO. Should the amount of this bond exceed the amount of the bond regularly furnished without cost by the AFL-CIO, the U.P. RLF shall pay the additional cost of such bond.

Section 4. The U.P. RLF Executive Board shall prepare a strategic plan and an accompanying annual budget, and shall secure approval of these from the delegate body. The Board shall also adopt a written expense policy, and such other operating policies as may be necessary to conduct the work of the organization. Expenses shall be reimbursed only upon submission of original receipts. The use of the U.P. RLF's credit card for personal use is prohibited. The U.P. RLF shall not acquire or use a debit card or an ATM card, and shall not engage in payment of bills or expenses through online transactions.

Section 5. The U.P. RLF budget and general treasury will provide for program funding across the U.P. RLF jurisdiction, including, but not limited to the following:

- (a) Member issue education (walks, phone banks, mailings, endorsement promotions, newsletter, web site, worksite flyers, rallies, etc.)
- (b) Postage, office supplies, and meeting refreshments
- (c) Dues to state and regional organizations
- (d) Donations of regional value to Labor sponsored activity
- (e) Officer stipends (4 at-large officers at \$250 each, semi-annually)
- (f) Regional Labor Day event(s), including funding for Community Labor Councils' participation
- (g) Conference registration & participation

Section 6. Funding for local donations and organizational memberships that are specifically relevant to a Community Labor Council will be the responsibility of that Council, through use of its earmarked fund or through separate fundraising.

Section 7. The U.P. RLF shall be responsible for all future financial activity of the organization, including any necessary billing and reporting. Leaders of the existing CLCs and their successor Community Labor Councils will assist the U.P. RLF during the unification transition and thereafter in notifying affiliated unions of the new organizational structure and per capita tax arrangements, and promoting U.P. RLF affiliation. All expenditures from the U.P. RLF general treasury will be approved by the U.P. RLF Executive Board and the U.P. RLF delegate body.

Section 8. The U.P. RLF will develop a longer-term strategic plan and accompanying budgets annually in accordance with the schedule and other requirements of the AFL-CIO. The U.P. RLF and Community-Labor Councils will develop and continuously update a work plan to implement the strategic plan, with a general U.P. RLF budget and budgets for the Community Labor Councils. The U.P. RLF budget and general treasury will provide for program funding across the U.P. RLF.

Section 9. Community Labor Councils may conduct fundraising to add to their earmarked account, but all revenue, expenditures, and accounting of these funds will be done by the U.P. RLF in accordance with AFL-CIO and U.P. RLF procedures, and under the direction of the U.P. RLF Treasurer and Executive Board.

Section 10. The U.P. RLF will account for all the general and earmarked funds in monthly financial reports to the Board and delegate body. This includes all funds and administration of the funds, except for cases where a separate 501(c) (3) organization loosely related to a former CLC was in existences at the time the U.P. RLF was created and continued to operate thereafter as a charitable function of that CLC. In cases where a CLC continues to maintain a separate 501(c) (3) charitable organization and the administration and fiscal responsibility for the entity are transferred to the U.P. RLF, the funds and operation will be maintained separate from the U.P. RLF, but will be subject to the same reporting and other procedures as U.P. RLF funds, as well as such other requirements of governing legal entities. If a CLC retains administrative responsibility for such a fund, the U.P. RLF will have no responsibility for the fiscal or other operational functions of the entity, and the Community Labor Council and the entity will hold the U.P. RLF harmless from any legal liability related thereto.

Section 11. The U.P. RLF will establish a centralized political action independent expenditure account which will disburse all funds by decision of the U.P. RLF and report financial transactions in the same manner as the U.P. RLF's other finances. This account will be maintained in accordance with all applicable federal, state, and local statutes, and the rules of the AFL-CIO.

ARTICLE XIV- LISTS

All lists of affiliates or members of affiliates in possession of the U.P. RLF shall be used exclusively in carrying out the authorized programs and work of the Board and shall not be released to any person or organization for any other purpose unless such release has been duly authorized by the Board and the appropriate officers of the affiliate or affiliates involved.

ARTICLE XV- COMMITTEES

Section 1. The following standing committees of an odd number of at least three (3) members each shall be appointed by the President with the advice and consent of the Executive Board: Ethical Practices; Finances and Operations; Personnel; Mobilization; Community

Engagement, Organizing Support; and Strategic Planning. The Committee on Finances and Operations shall include the Trustees and such other members as needed.

Section 2. Special Committees may be established from time to time by the U.P. RLF Executive Board as needed and shall be appointed by the President unless otherwise directed by the Board or delegate body.

Section 3. All Committees shall report regularly to the U.P. RLF Executive Board and any Committee which fails to function shall be dismissed and a new Committee appointed.

ARTICLE XVI- LEGISLATIVE AND POLITICAL ACTION

Section 1. The legislative and political activities of the U.P. RLF shall be under the direction of the Executive Board.

Section 2. The U.P. RLF shall advance the political mobilization program under the direction of the Committee on Political Education.

Section 3. All legislative and political activities shall conform to the policies of the State AFL-CIO on state matters and to the policies of the National AFL-CIO on national affairs, and to the policies of the Community Labor Councils on local matters.

Section 4. The President and Treasurer of the U.P. RLF shall be the President and Chief Financial Officer respectively of the Committee on Political Education. The five Area VPs shall be members of the COPE Committee, and shall represent the interests of Locals and members in their respective geographic areas. The President shall appoint all members to the committee. Additional members may be added to the Committee in accordance with properly approved By-Laws.

Section 5. The COPE shall operate in conformity with the policies of the AFL-CIO including Rules #30 through #46 of the *Rules Governing AFL-CIO Regional Labor Councils and Central Labor Councils*, and State COPE.

Section 6. The U.P. RLF's Committee on Political Education shall have power to formulate By-Laws to govern COPE.

Section 7. Decisions on candidate and issue endorsements in political jurisdictions that fall entirely within the jurisdiction of a Community Labor Council will be made exclusively by the Community Labor Council, unless that CLC refers the decision to the U.P. RLF. The Community Labor Councils and U.P. RLF Board will work with the State Federation to develop a uniform screening and endorsement process to be used throughout the U.P. RLF. The U.P. RLF Principal Officers and U.P. RLF Field Staff will be included in Community Labor Council screenings and endorsement decisions for consistency and continuity purposes. In cases of overlapping jurisdictions, the affected Community Labor Councils will work to assign primary responsibility to one CLC, and make recommendations to that CLC.

- (a) In cases where political districts overlap two or more Community Labor Council jurisdictions and the CLCs are not able to agree on one Council taking primary responsibility for screening and endorsement decisions/recommendations, the affected Councils will have the opportunity to conduct their own screenings and make their own recommendations to the U.P. RLF COPE Committee, which shall then make the final determination on the action to be taken. If the Community Labor Councils are not in agreement, the U.P. RLF COPE Committee will be responsible for making the final decision or recommendation where appropriate, to the state Federation. The U.P. RLF will coordinate details of screenings and endorsements with the State Federation in Congressional elections and similar races.
- (b) When legislative redistricting is carried out, the U.P. RLF and CLCs will re-define jurisdictional assignments as needed.

ARTICLE XVII– COLLECTIVE BARGAINING, STRIKES AND BOYCOTTS

Section 1. This U.P. RLF shall not take part in any collective bargaining activities or in any labor dispute, including strikes, except upon the request or consent of the aggrieved union or organizing committee or in the case of a local union directly affiliated to the AFL-CIO, except upon the request or consent of the AFL-CIO President.

Section 2. This U.P. RLF does not have the power or authority to originate a boycott or to initiate action to place an employer on an “unfair” or “do not patronize” list. All such action shall be taken only on written request of the aggrieved union or in response to an action of the AFL-CIO. When such action is requested by an aggrieved union, the U.P. RLF shall be governed by appropriate procedures of Rule 21 of the *Rules Governing AFL-CIO Regional Labor Councils and Central Labor Councils*.

ARTICLE XVIII- RULES, PARLIAMENTARY AUTHORITY AND AMENDMENTS

Section 1. The procedures to be followed with respect to publications issued or endorsed by this U.P. RLF, shall be in accord with Rule 23 and the other policies contained in the *Rules Governing AFL-CIO Regional Labor Councils and Central Labor Councils*.

Section 2. In case of conflict between the provisions of this Constitution or other laws or actions of this U.P. RLF and the Constitution of the AFL-CIO, and/or the *Rules Governing AFL-CIO Regional Labor Councils and Central Labor Councils* issued by the Executive Council of the AFL-CIO, the latter shall prevail, and appropriate steps shall be taken by the Executive Board to initiate such amendment to this Constitution or to change or modify the laws or actions of this Board as necessary to bring them into conformity with the Constitution and *Rules Governing AFL-CIO Regional Labor Councils and Central Labor Councils*.

Section 3. The U.P. RLF Executive Board and delegate body may, by majority vote, decide on an ongoing basis to conduct business in their respective bodies (other than financial approvals, elections, and constitution changes) by consensus. Otherwise, and in all other

ways, the parliamentary rules contained in *Robert's Rules of Order, Revised*, shall govern this U.P. RLF in all cases to which they are applicable and where they are not inconsistent with this Constitution, or such special rules of order as may be adopted by this U.P. RLF.

Section 4. This Constitution may be amended by two thirds of the votes cast at any regular meeting of the U.P. RLF, provided the proposed amendment(s) does not conflict with the Constitution of the AFL-CIO and that the amendment(s) has been presented in writing and read at two previous regular meetings of the U.P. RLF. Amendments to this Constitution shall become effective when approved in writing by the President of the AFL-CIO.

ARTICLE XIX- OATHS OF OBLIGATION

Section 1. Oath of Delegates: Upon acceptance of a delegate's credential, the presiding officer shall administer the following obligation:

"I, (name of delegate), do solemnly pledge my honor that I will obey the rules and regulations of the U.P. RLF and, to the best of my ability, perform all the duties I may be called on to discharge as a delegate thereto. I also pledge that I will patronize only union labels, shop cards and service buttons when they are available and that I will qualify myself to vote in all local, state and federal elections, if eligible to do so."

Section 2. Obligation of Officers: Before entering upon the duties each officer-elect shall assume the following obligation:

"I, (name of delegate), agree to defend the principles of trade unionism; to work to improve the lives of working families, to help organize the unorganized; to help build a strong political voice for working families and strong alliances for the labor movement. I promise to uphold the rules of the U.P. RLF and the constitution of the AFL-CIO. I promise to build full participation and full affiliation in our AFL-CIO state and local labor councils. I also pledge that I will deliver all property in my possession belonging to the U.P. RLF to my successor in office and to surrender such property to the President of the AFL-CIO upon his/her official demand. All this I solemnly affirm."