



CONSTITUTION

and

BY-LAWS

of the

OFFICE COMMITTEE UNION

1933 10TH STREET
COLUMBUS, INDIANA
47201

TABLE OF CONTENTS

	Preamble	(i)
ARTICLE I	Name and Definitions	1
ARTICLE II	Objectives	1
ARTICLE III	Membership and Security	1
ARTICLE IV	Governing Body of the Union	4
ARTICLE V	Membership Meetings	7
ARTICLE VI	Finances	8
ARTICLE VII	Duties of Officers, Area-Representatives, and Trustees	9
ARTICLE VIII	Removal from Office	12
ARTICLE IX	Negotiation Committee	12
ARTICLE X	Salaries, Wages and Expenses	12
ARTICLE XI	Amendments	13
ARTICLE XII	Non-Discrimination	14
ARTICLE XIII	Strike and/or Lockout Fund	14
ARTICLE XIV	Union Publication	14
ARTICLE XV	Notice of Intention to Terminate Labor Agreement	14
ARTICLE XVI	Ratification Committee	15
ARTICLE XVII	Installation Ceremony	16

OFFICE COMMITTEE UNION

PREAMBLE

We, the members of the Office Committee Union, believe ourselves justly entitled to share, in proper proportion, in the wealth we help to create by our labor. We affirm our right to improve our social and economic welfare and that of our dependents through just means, including the right to self-organization, to bargain collectively through representatives of our own choosing, and to engage in concerted activities for the purpose of collective bargaining.

Unity among those whose economic and social endeavors are alike, imparts the security of numbers and skill, and strengthens our voiced demands. We therefore have created this organization so that we will be able to more effectively and positively direct our energies to the attainment of those objectives of our organization as set forth in this Constitution.

We further affirm our allegiance to the United States of America, and pledge ourselves to continued loyalty and defense of the principle of democracy . . . “of the people, by the people, for the people”.

ARTICLE I

Name and Definitions

Section 1. The name of this organization shall be the Office Committee Union, hereafter referred to as the OCU.

Section 2. The fiscal year of the OCU shall begin on the first (1st) day of October of any given calendar year and shall end on the thirtieth (30th) day of September of the following calendar year.

Section 3. Definitions – Throughout these Constitution and Bylaws, the following terms will have the indicated definition.

Bargaining Team – The designated group of individuals that will represent the OCU in contract negotiations

Company – Cummins Inc. or any of its subsidiary entities

Contract – Any of the collective bargaining agreements that the OCU enters into

DOL – Department of Labor

NLRA – National Labor Relations Act

ARTICLE II

Objectives

Section 1. The fundamental objectives of the OCU are: to advance, maintain, and protect the interest of the workers organized within this union.

- (a) To advance, maintain, and protect the interest of all the workers organized within this union.
- (b) To establish wages in accordance with the needs and desires of the membership.
- (c) To continually strive to improve members working conditions.
- (d) To regulate hours of work.
- (e) To allow all workers eligible to become members of this union.
- (f) To unite in organization regardless of sex, color, handicap, national origin, age, religion, sexual orientation, gender identity and/or expression.
- (g) To protect the members of the union in the exercise of their rights and prevent intimidation, restraint, or coercion of any kind.
- (h) No part of these bylaws will be construed to violate any law, ruling or regulation of the NLRA or DOL. Any section of these bylaws that is illegal or becomes illegal will be null and void.

ARTICLE III

Membership and Security

Section 1. Any person who is not affiliated with any organization whose principles and philosophy are contrary to those of this Union as outlined in the preamble of this constitution may apply, and be eligible, for membership in this Union. Any employee, of the Company, represented by this Union who (1) acts in any supervisory capacity, (2) has the power to hire, fire or discipline other employees, or (3) is employed as a guard is ineligible for membership.

Section 2. Any employee who is eligible for membership shall submit a written application on a form provided by the Union. This process may take place at a new hire orientation meeting. No initiation fee will be charged as a requirement for membership.

Section 3. Upon submission and acceptance of said written application the employee becomes a member in good standing with the same rights and privileges as all other members in good standing as outlined in the Constitution and Bylaws of the Office Committee Union. Union dues of \$4.00 per week shall commence at the earliest possible pay period after the signed membership card has been given to the Secretary-Treasurer. Dues will be paid in the form of payroll deduction from each active OCU member's weekly wages. If payroll deduction is not an option, it is each member's responsibility to keep his/her dues current by paying the amount of dues requested by the Secretary/Treasurer.

Members must have been in good standing for at least six (6) months prior to the opening of nominations to be eligible to run for an elected office.

A member who voluntarily withdraws from Union membership is no longer eligible to share in the same rights and privileges provided in this Constitution and By-laws as members in good standing effective on the date the withdrawal form is signed.

Section 4. Any member on lay-off or an approved leave of absence will be considered "in good standing"

A member on lay-off or approved leave of absence will have all the rights and privileges as anyone else

Once an employee returns from lay-off or an approved leave of absence they will not be required to have dues in arrears collected.

Section 5. Any member of this Union may be fined, expelled, or suspended, after charges have been filed and a trial has been held, for any violation designated hereafter:

- (a) For violation of the Constitution and Bylaws of this Union.
- (b) Any acts of disloyalty toward the Union or toward any members of the Union with respect to Union business.
- (c) Embezzlement
- (d) Secession or promoting secession.
- (e) Crossing and/or working behind an authorized picket line of the OCU.
- (f) Abuse of fellow members or officers orally or in writing with respect to Union business.
- (g) Any officer, Area-Representative, Trustee or Support Person failing to attend two (2) consecutive general membership meetings and/or any called meetings unless satisfactorily excused.
- (h) Intentionally divulging any confidential Union information.
- (i) Filing charges in bad faith or out of malice.

Section 6. When any ten (10) or more members or the Executive Committee of this Union jointly file a written petition with the Secretary specifically stating that any member of this Union has violated any of the provisions of Section 5 of Article III of these By-laws, the following procedures shall be followed:

- (a) The Secretary/Treasurer shall serve a copy of the charges (by certified mail) to the charged member within five (5) working days of receiving the charges.
- (b) The Secretary/Treasurer shall notify both the charged and charging parties (also by certified mail) the time and place for the trial. This notification shall be issued within forty-five (45) working days of the original charge. The trial date shall not be less than ten (10) days and not more than sixty (60) days from the notice of the trial date.

- (c) The Secretary/Treasurer will post (at the Union Hall) the date and starting time of the pending trial. This posting shall go up within five (5) working days of the mailing of the trial date. This notification shall also include the decision whether the trial shall be open or closed to the Union membership.
- (d) The trial shall be open unless the charged or charging parties request to close the trial and the Trial Board agrees.

Section 7. The Executive Board shall act as the Trial Board, as set forth in Article VII, Section 2 of these Bylaws. In the event that either a charging party or a charged party is a member of the Executive Board, that person shall appoint a replacement to the Trial Board. The Executive Board shall also appoint a replacement in the event of the absence of any Trial Board member.

Section 8. The trial shall commence at the designated time and place and the charging party shall proceed first with his or her evidence, which may include the calling of witnesses. The charging party may be represented by another member of the Union. The charged party shall then proceed with the defense evidence and the charged party may also be represented by another member of the Union. Neither the charging nor the charged party may be represented by anyone who is not a member in good standing in the Union. Both the charging and the charged party may also put on any rebuttal evidence. The members of the Trial Board are free to ask any questions of the witnesses.

Section 9. At the conclusion of the trial, all parties and witnesses shall be excused. The Trial Board shall make its decision within fifteen (15) days from the trial. The decision shall be in writing and shall contain a short summary of the evidence and conclusions of the Trial Board from the evidence. The decision shall also specify whether the charged party has been found innocent or guilty of the charges. The decision shall be served by certified mail on all parties to the case by the Secretary/Treasurer of the Union.

Section 10. In the event a member is found guilty of the charges, the Trial Board has a right to impose any or all of the following:

- (a) A fine up to a maximum of \$1000.00
- (b) Suspend a member from membership or from any of the benefits of membership
- (c) Expel the person from membership

The Trial Board can also suspend a part of its penalty and place a person on probation for a specified period. If the person violates the probation, the Trial Board would then have a right to enforce the full penalty.

Section 11. The decision of the Trial Board shall be final and binding on all parties unless it is appealed to the membership within fifteen (15) days from the date it is mailed to the parties. Any appeal must be in writing, must be forwarded to the Secretary/Treasurer of the Union, and must be received by the Secretary/Treasurer or at the Union Hall by the fifteenth (15th) day from the mailing of the decision.

Section 12. A special membership meeting called to hear the appeal shall be scheduled within thirty (30) days of the appeal being received. The meeting shall be open to all the membership. At such a meeting the Secretary/Treasurer shall read the original charges, the decision by the Trial Board, and the appeal. The charging party and charged party shall be given the opportunity to present any oral argument to the membership, with the appealing party being required to proceed first. At the conclusion of the arguments the membership shall vote on whether or not to uphold the decision of the Trial Board. If the vote is against upholding the decision of the Trial Board, the membership shall then vote on whether or not to send the case back to the Trial Board for further processing and a possible modification of the decision, or to dismiss the case completely. A majority vote shall settle the question.

ARTICLE IV

The Governing Body of the Union

Section 1. The Executive Board of the OCU, also known as the Bargaining Committee, shall consist of a minimum of five (5) officers: President, Vice President, Secretary/Treasurer, Communications Officer, and Chief Area-Representative. The officers shall have such duties as defined in Article VII of this Constitution

Section 2. The Area-Representatives shall consist of a minimum of fourteen (14) Representatives. To remain as flexible as possible the areas of representation may be reviewed by the Executive Board and changed as necessary to assure as nearly uniform distribution of representation as possible. Changes will be made only by a majority vote of the members of the Executive Board.

The Area-Representative shall be elected by the members that they are to represent. All Area-Representatives elected will serve terms of three (3) years.

Those Union members in any Area-Representative's jurisdictional area may petition for an election for Area-Representative in said Area-Representatives' jurisdictional area any time after said Area-Representative has served a minimum of six (6) months after his/her election or re-election, and there will be an election held within 30 to 60 days after presentation of said petition. The petition must be signed by at least 50% of the members that the Area-Representative represents.

The candidate with the largest plurality of votes cast shall be declared elected.

The Executive Board may appoint someone to temporarily serve as Area-Representative until the vacancy is filled.

Any Area-Representative who voluntarily leaves their area of representation shall resign as Area-Representative of the respective area.

Section 3. The Trustees shall consist of three (3) members of the Union. The Trustees shall have such duties as defined in these Constitution and By-Laws, Article VII, Sec. 4.

Section 4. Any election conducted by the Office Committee Union for the purpose of electing Officers and Trustees shall be held in compliance with the Labor-Management Reporting and Disclosure Act of 1959, As Amended (LMRDA). *Conducting Local Union Officer Elections – A Guide for Election Officials*, prepared by the Office of Labor-Management Standards (OLMS) of the U.S. Department of Labor (DOL) will be referenced regarding law and regulations. Nominations for Officers and Trustees will open at the start of the 2:00 P.M. meeting in June and shall close at the end of the 5:00 P.M. meeting in July. The following rules shall apply:

- (a) Election of Officers and Trustees will be by U.S. Mail balloting. Ballot packages will be mailed out within thirty (30) days of the close of the nominations to members who are in good standing on the date the ballots are mailed. Ballots will be mailed to each member's last known mailing address. Voted ballots must be returned within (18) days of the mailing. A notice of the date and time by which voted ballots must be received at the U.S. Post Office in order to be picked up by a member of the Election Committee, and the date and time the counting of returned ballots will commence will be included in the ballot packages.
- (b) All Officers and Trustees will be elected at large.
- (c) All terms of office will be for three (3) years.
- (d) It shall require a majority of the votes cast to be elected to the Executive Board. If no candidate receives a majority of the votes cast on the first ballot, the candidates with the two (2) highest vote totals shall be voted on in a run-off election to commence as soon as possible. Trustees will be elected based on the candidate(s) receiving the highest number of votes cast.

- (e) In the event of a tie in the votes cast for any office in a run-off election, the decision will be made by lot from among the two (2) candidates having the tie vote. The Chairperson of the Committee shall administer the casting of lot as witnessed by the two (2) candidates.
- (f) All Officers and Trustees will take office on the first Monday of the new fiscal year following the election. In case of a runoff election, this Officer(s) will take office on the first Monday following election. No officers shall take office prior to the first Monday of the fiscal year.
- (g) Any protest must be filed in writing within five (5) working days of the election with the current Executive Board.

Section 5.

- (a) All nominees for Officers/Trustees and Area-Representatives must be Union members in good standing and must have been a member in good standing for at least six (6) months prior to the opening of nominations. Nominees must have attended at least fifty percent (50%) of the membership meetings in the past year, or have a nomination form with ten (10) signatures of members in good standing.
- (b) No member shall be a candidate for more than one office. If nominated for more than one office, he/she shall immediately declare for which office he/she will be a candidate.
- (c) Any member nominated from the floor or by nomination form must signify in writing that he/she is willing to serve. This written verification must be turned in to the Election Committee within two (2) days after the nominations.
- (d) During the nomination procedure, when the Office of Communications Officer is being nominated, the President shall conduct the nominations.
- (e) In the event there is no contest for any office and the candidate(s) is determined to be properly nominated, the Chairperson of the Election Committee shall certify to the August monthly membership meeting that there is no need for a secret ballot, and the nominee(s) shall be duly elected.

Section 6. The Support Person shall consist of at least one (1) member of the Union. He/she will be nominated by the President with the approval of the Executive Board. Such appointment must be ratified by the Area-Representatives by secret ballot three (3) days after the Executive Board selection and notification of the Area-Representatives. The term of said person shall expire with the expiration of the current contract, or by letter of agreement with the Company, whichever comes first. The responsibility of the Support Person(s) will be to assist the Executive Board, Area-Representatives, and the Membership in accomplishing the duties of the OCU. The Support Person may be removed from office by a majority vote of the Executive Board.

Section 7. In the case of vacancies on the Executive Board, Trustees, or Support Person during a term of office, the President shall appoint a replacement with the approval of the Executive Board. The President shall notify the Area Representatives of the appointment. Three (3) working days after the notification, the Area Representatives shall ratify, by secret ballot, the appointment. The replacement shall serve the remainder of the vacated term.

Section 8. The Election Committee shall consist of at least four (4) members of the Union. They cannot be candidates for any office being elected, but they must be members in good standing. The President shall nominate a slate of six (6) members with the approval of the Executive Board. The President shall notify the Area Representatives of the slated nominees. Three (3) working days after the notification, the Area Representatives shall select, by secret ballot, the members of the Election Committee. The four (4) nominees receiving the highest number of votes cast shall become the Election Committee, with the two (2) remaining nominees being chosen as Alternates. In the event an Election Committee member is unable to fulfill the duties required, the President shall appoint the Alternate with the highest number of votes cast as the first replacement, and the remaining Alternate as a second replacement.

The term of each member of the Election Committee shall be three (3) years.

The Chairperson of the Election Committee shall be chosen by a vote of the fellow members of the Election Committee.

In the event of a vacancy on the Election Committee, the President shall appoint a replacement with the approval of the Executive Board. The President shall notify the Area Representatives of the appointment. Three (3) working days after the notification, the Area Representatives shall ratify, by secret ballot, the appointment to the Election Committee. The replacement shall serve the remainder of the vacated term.

The Election Committee will be responsible for the following:

- (a) To make sure proper notification is given to the membership before the election;
- (b) Printing and distribution of all ballots;
- (c) Accounting for all ballots;
- (d) Informing all candidates of vote totals;
- (e) Declaration of winners of each office;
- (f) Keeping records of all voters;
- (g) Sealing of ballots (used and unused) and placing them in storage;
- (h) Responsible for election of Officers and Trustees;
- (i) Verify all nominees as outlined in Article IV, Section 5;
- (j) Verify all nominees' names for the ballot and mailing address, as outlined in Article IV, Section 5.

Section 9. The Scholarship Committee shall consist of at least five members of the Union. They will be nominated by the President with the approval of the Executive Board. Such appointment must be ratified by the Area-Representatives by secret ballot three (3) days after the Executive Board selection and notification of the Area-Representatives. The terms shall be two (2) years for current members and three (3) years for new appointees creating a staggered appointment as follows: at least (2) members of the current committee will be nominated for a continuing term of two (2) years; at least three (3) new members will be nominated for three (3) years. At the end of the present committee members' term, at least two (2) new members will be nominated to a term of three (3) years. The Chairperson of the Scholarship Committee shall be chosen by a vote of the fellow members of the committee. The Executive Board will determine the first staggered term of members.

This Committee will have available \$6000.00 annually from the Union General Fund to be issued in the form of four (4) \$1500.00 scholarships. All four (4) scholarships may or may not be awarded each year.

This Committee will review and/or update the criteria for the scholarships as needed. All committee members to be present and eligible in the selection process for voting on all award recipients and any scholarship committee members' dependents shall be excluded from applying while serving their term.

To be eligible for the annual scholarship, applicants must meet the following criteria:

- a) Applicants must be in one of the following groups.
 - Current high school senior.
 - Current student in college, university, technical or vocational post-secondary school as a freshmen, sophomore or junior.
 - High school graduate who has not been out of school for more than two years and has not yet started at a school of higher learning.
- b) Applicants must be a legal dependent of an OCU employee, active, retired or deceased, with the exception of legal dependents of the current Scholarship Committee members. Dependents of current Scholarship Committee members are ineligible unless the Committee member agrees to remove him/herself from the committee before reviewing any and all submissions.

The Committee shall keep minutes of all Committee meetings and the operating procedures of the Committee. The Executive Board Communications Officer will keep records of all scholarship applications and dispose of the applications one month after the scholarships have been awarded annually.

The Committee will submit criteria changes to the Executive Board for them to critique and make changes they feel necessary.

Section 10. The By-Law Committee shall consist of at least three (3) members of the Union. They must be members in good standing. The President shall nominate a slate of five (5) members with the approval of the Executive Board. The President will notify the Area Representatives of the slated nominees. Three (3) working days after the notification or as soon as possible thereafter, the Area Representatives will select, by secret ballot, the members of the By-Laws Committee. The three (3) nominees receiving the highest number of votes cast shall become the By-Laws Committee, with the two (2) remaining nominees being chosen as Alternates.

The term of each member of the By-Laws Committee will be three (3) years.

In the event a By-Laws Committee member is unable to fulfill the duties required, is removed, or resigns from the By-Laws Committee, the President will appoint the Alternate with the highest number of votes cast as the first replacement, and the remaining Alternate as a second replacement. If neither of the alternates can or will fill the position, the President will appoint a replacement with the approval of the Executive Board. The President will notify the Area Representatives of the appointment within two (2) weeks of the vacancy. Three (3) working days after the notification or as soon as possible thereafter, the Area Representatives will ratify, by secret ballot, the appointment to the By-Laws Committee. The replacement shall serve the remainder of the vacated term.

The By-Laws Committee will be responsible for the following:

- (a) Convene each January to review by-laws change proposals for clearness, conciseness, legality, etc.;
- (b) Assist those proposing by-laws changes;
- (c) Assist the E-Board in by-laws related matters;
- (d) Ensure language in existing by-laws is clear and non-ambiguous;
- (e) Presenting by-laws change proposals to the membership for consideration;
- (f) Convene for all special membership meetings for the purpose of amending the by-laws called by the Executive Board;
- (g) Convene any other time as warranted to complete their duties.

ARTICLE V

Membership Meetings

Section 1. The regular Membership meeting of the Union shall be held on the second Tuesday of each month. To accommodate the various working hours of the membership, two separate sessions will be held, one at 2:00 PM and another at 5:00 PM and are unpaid.

Section 2. All motions brought before the membership shall be voted on at both sessions of the regular Membership meetings.

- a) Motions brought at the 2:00 PM session will be voted on at both the 2:00 PM and 5:00 PM sessions. The combined vote will be dispositive of the motion.
- b) Motions brought at the 5:00 PM sessions will be voted on at that session. The motion will then be tabled until the 2:00 PM session of the next regular membership meeting where it will be presented to the members in attendance and voted on. The combined votes will be dispositive of the motion.

Section 3. The “Robert’s Rules of Order” shall be used in conducting meetings.

Order of Business for Regular Membership Meetings

- A. Opening
- B. Roll Call of Officers
- C. Reading and approval of minutes of previous meeting
- D. Unfinished business
- E. Report of Officers
- F. Report of Delegates and Committees
- G. Interpretation of Contract Language
- H. Report of Trustees
- I. New Business
- J. Good of the Union
- K. Bills/Receipts/Expenses
- L. Closing

Section 4. Special Membership Meetings of the Union may be called by the President or by a majority of the Executive Board. The purpose of special meetings is to deal with important matters that urgently require action by the membership between regular meetings. As a result, motions from the membership will not be accepted at Special Membership Meetings.

When a Special Membership Meeting is called, a Notice of Special Meeting shall be posted via email or other forms of communication that have been sanctioned and utilized by The Executive Board of the OCU, at least three (3) days prior to the said meeting. This notice will state the time, place and exact purpose of the meeting.

Order of Business for Special Membership Meetings

- A. Opening
- B. Roll Call of Officers
- C. Conduct of business as described in Notice of Special Meeting
- D. Closing

ARTICLE VI

Finances

Section 1. the funds of the Union shall be created by dues to be collected from each member of the Union. All funds shall be deposited into federally insured financial institutions as designated by the Executive Board.

All funds of this Union shall be disbursed by check signed by the Secretary/Treasurer, President or Vice President, and counter signed by the President or Vice President. No funds will be disbursed without prior approval by the Executive Board.

The Executive Board shall provide for an audit of the Union Books at the end of each fiscal year, (ref. Article IV, Section 4, Par. F). At that time, new Officers and Trustees of the Union shall be bonded and the Union shall purchase a Surety Bond in an amount approved by the Executive Board.

Section 2. No money of this Union shall be loaned to any Officer, member or employee of this Union. The net earnings of the Union will not be permitted to be distributed for the benefit of any member, except as otherwise provided in the by-laws of the Union.

Section 3. If the Union is dissolved or merges with another union, all assets of the Union shall be divided between all Union members still living. (Active or retired while an OCU member in good standing.)

ARTICLE VII

Duties of Officers, Area-Representatives, and Trustees

Section 1. The duties of the Officers shall be as follows:

A. The President

- 1) The President shall be held responsible for the strict enforcement of this Constitution and the rules herein. He/she shall preside at all meetings and shall see that each is promptly called to order and held in an orderly fashion according to the "Robert's Rules of Order".
- 2) The President shall be the Chairperson of the Bargaining Committee and the Executive Board. He/she shall be a member ex-officio of all committees.
- 3) The President shall nominate all members of committees as called for in other Articles of this Constitution.
- 4) The President shall decide all questions of order according to the rules stated herein and that ruling on order shall stand unless reversed by a majority vote of the Executive Board.
- 5) The President shall see that all committees perform the duties assigned to them within a reasonable time. The President shall promptly remove any committee member not performing His/Her duties and appoint another.
- 6) The President shall nominate replacements for any Officer or Trustee position, Support person, or any committee positions vacated during the current term as called for in other Articles of this Constitution.
- 7) The President shall temporarily appoint a member of the Executive Board, or Bargaining Unit Member, to fill a position on the Executive Board that is temporarily vacated due to illness.
- 8) The President shall be held responsible for the coordination and cooperation of the Executive Board members and efforts. He/she shall cooperate and foster open communication and not work in conflict with them and make every endeavor to keep a quorum of the board present at all times.
- 9) The President shall cast a deciding vote in the event of a tie at any Executive Board meeting.
- 10) The President shall cast a deciding vote in the event of a tie at any Area Representative meeting. (Excluding the Ratification Committee.)
- 11) The President shall not cast a vote at any Membership Meeting except in the event of a tie. The President shall then cast a deciding vote.

B. The Vice-President

- 1) The Vice-President shall assist the President in the discharge of his/her duties and shall fill his/her position in case of the President's absence.
- 2) The Vice-President shall assume the position of the Presidency in case of the death or resignation of the President.
- 3) The Vice-President shall be responsible for the coordination of grievances for presentation at 3rd step.
- 4) The Vice-President shall be responsible for the coordination and preparation of grievances going to arbitration.

C. Secretary-Treasurer

- 1) The Secretary-Treasurer shall be responsible for the keeping and recording of minutes of all membership meetings and meetings of the Bargaining Committee. He/she shall keep accurate accounts of all motions and votes taken. He/she shall have general charge of all the records of the Union.
- 2) The Secretary/Treasurer shall receive and be responsible for all application fees, dues, assessments, and all other income of the Union from any other source and shall give official receipts for the same.
- 3) The Secretary-Treasurer shall deposit all the Union funds into such banks or financial institutions as the Executive Board directs.
- 4) The Secretary-Treasurer shall be responsible for the timely writing of all checks drawn on the funds of the Union after the same have been approved as hereinafter provided.
- 5) The Secretary-Treasurer shall administer the Oath of office, at the beginning of the 2:00 P.M. meeting, as outlined in Article XVII. The Oath will be administered at the first monthly meeting after said Officers are elected or reelected. He/she shall also swear into office his/her successor.

D. Communications Officer

- 1) The Communications Officer shall be responsible for keeping the membership Informed of changes that may affect them including meetings, postings and so on via email or other forms of communication that have been sanctioned and utilized by The Executive Board of the OCU.
- 2) The Communications Officer shall be the Chairman of the By-Laws Committee.
- 3) The Communications Officer shall be responsible for the coordination of all elections.
- 4) The Communications Officer shall be responsible for the maintenance of the OCU Website.
- 5) The Communications Officer shall assist the Secretary Treasurer with the responsibility of keeping and recording of minutes of all membership meetings and meetings of the Bargaining Committee. He/she shall also keep accurate accounts of all motions and votes taken. He/She shall assist with the general charge of all the records of the Union.

E. Chief Area-Representative

The Chief Area-Representative shall be responsible for the coordination of grievances for presentation at 2nd step.

The Chief Area-Representative shall be directly responsible for the training and guidance of the Area-Representatives.

The Chief Area-Representative shall keep Area-Representatives informed of all changes in policy, Labor Agreement, By-Laws, etc.

The Chief-Area Representative shall investigate and organize education programs for Officers and Area-Representatives at least four (4) times a year, quarterly, if possible.

F. The Executive Board

- 1) The responsibility of the Executive Board shall be to implement the current Labor Agreement between the OCU and the Company. Any verbal or written agreement between the Executive Board and the Company that alters from the current Labor Agreement must be presented and ratified by a majority vote of the total membership by ballot prior to implementation of these proposed agreement.

G. Order of Succession of Officers

- 1) President
- 2) Vice-President
- 3) Secretary-Treasurer
- 4) Communications Officer
- 5) Chief Area-Representative
- 6) Trustees

Section 2. The Executive Board shall meet between regular Monthly Meetings of the Union. Matters referred to the Board by the President shall take precedence over all other matters at these meetings. The Executive Board shall have the power to take any actions (that a Union can take) that are necessary for the good of the Union and which must be completed prior to the next regular meeting of the Union. Such actions cannot be of a type that would normally require a membership vote or violate/change in any way the Union Bylaws. All votes of the Executive Board shall be recorded by indicating how each board member voted.

A quorum of the Board shall consist of the majority of its members. The Board shall see that all members who not entitled to remain in the Board Meetings shall retire after they have been heard and submitted their business to the Board. When a Board Member is directly interested or involved in any case before the Board he/she shall retire.

The Executive Board shall act as the trial board and hear all charges and try all members for violation of the By-Laws and working rules of the Union according to Article III of this Constitution.

All Officers shall cooperate fully with other Officers of the Executive Board to the end that the interest of the Union and its members may be properly protected and advanced. The Board shall perform such other duties as are outlined in the By-laws of the OCU.

Special meetings of the Executive Board may be called by the President or by a majority of the Executive Board.

The Executive Board may originate any purchases not to exceed \$1500.00 per quarter for furniture/equipment. Any purchases above this amount shall require prior approval by a vote of the membership at the regular membership meeting.

Section 3. The Area-Representatives shall attend all membership meetings of the Union and all called meetings of Area-Representatives. They shall act as liaison between the Union and the Company and have authority according to the rights of the contract, but not have authority to cause or call strikes or work stoppages. They shall be directly responsible to the Executive Board and shall assist the Negotiation Committee on Contract negotiations and preparation of Contract proposals.

Section 4. The Trustees shall meet at least once a month, or more if needed, and examine Union property. After examining property, they shall refer bills and claims to the Secretary-Treasurer together with their recommendation. Any bills or claims may be brought to the attention of the membership. A member of the Board of Trustees must be on all Committees that deal with financial expenditures.

The Trustees may originate any bills or claims, not to exceed \$500.00 per quarter, for expenditures necessary to protect or maintain Union property. Any other expenditures shall have prior approval of the Executive Board.

The Trustees shall be directly responsible for all Union property and shall not be relieved of their responsibility until a new Trustee assumes this responsibility in writing. All new Trustees may not assume their duties until all responsibilities of the old Trustee has been assigned to the new Trustee by either the old Trustee or the Chairperson of the Trustees.

ARTICLE VIII

Removal from Office

Section 1. Any Officer, Area-Representative, or Trustee may be fined, expelled, or suspended for any violation designated in Article III, Sec. 5. A trial will commence, and proceedings will be followed as outlined in Article III, Sections 5 through 12.

If a vote is taken and passed to remove the accused offender from his/her position, the Executive Board shall then immediately call for nominations and an election. If the accused offender is re-elected, all past charges will be dropped.

Section 2. All Officers, Area-Representatives, Trustees, and appointees at the expiration of their term(s) shall deliver to the Union all books, papers, money and other property in their possession belonging to the OCU and shall not be relieved from their bond (if applicable) or obligation until this has been done.

ARTICLE IX

Negotiation Committee

Section 1. The Negotiation Committee shall consist of all the Executive Board for all labor contracts (except in unusual circumstances). The Negotiation Committee shall ask from the Membership for proposals for contract negotiations at least fifteen (15) days prior to the beginning of contract negotiations.

At least seven (7) working days prior to the voting of the proposed contract, the President of the Union shall call a special meeting to present and discuss the proposed contract. At least three (3) working days prior to the special meeting, the Negotiation Committee shall submit, in writing, a complete copy of the proposed contract to the membership.

Prior to the expiration date of the Contract, if possible, the membership will vote on the question of accept or reject. A majority of the votes cast will carry the vote.

Section 2. Where the Union has more than one contract all matters relating to each contract shall be voted on only by members covered by their contract.

ARTICLE X

Salaries, Wages and Expenses

Section 1. The Executive Board members when engaged on Union Business during their assigned shift and when not paid by the Company for such time shall be paid by the Union for said time at the same rate of pay as if they had worked for the Company.

The Officers of the Union shall be paid by the Union the following average rate of pay per week (excluding vacations):

President	10 hours avg.
Vice President	8 hours avg.
Secretary-Treasurer	8 hours avg.
Communications Officer	8 hours avg.
Chief Area-Representative	8 hours. avg.

Each Officer shall be paid either time and one half their normal hourly rate as paid by the Company or time and one half the average determined by taking the average hourly rate of all members of the Executive Board, whichever is greater.

The pay of all committees and the Trial board shall be either their normal pay rate as paid by the Company or the average determined by taking the average hourly rate of pay of all the members on the committee, whichever is greater. Such pay shall be straight time, time and one half, and double time, as applicable.

Any member of the Union who shall be engaged on Union affairs and who shall not be paid by the Company for such work, shall be paid by the Union for such time engaged on the Union business or affairs at the same rate of pay as if he/she had worked for said Company, i.e., straight time, time and half (1 ½). All such time must have prior approval by majority of the Executive Board.

The Executive Board and Trustees of the Union shall stipulate allowances to be given members of the Union for travel and travel expenses connected with Union business or affairs.

Section 2. Each Trustee will be paid \$225.00 per month. In addition, mileage shall be paid at the IRS current rate for business travel.

Section 3. Each Support Person will be paid \$125.00 per month. In addition, mileage shall be paid at the IRS current rate for business travel.

Section 4. Each Area Rep will be paid \$275.00 per month. In addition, mileage shall be paid at the IRS current rate for business travel.

Section 5. Attendance at monthly membership meetings is mandatory for Area Reps, Trustees and Support Person(s) to receive the \$275.00 unless excused by the Chief Area Rep. If possible, prior approval should be obtained.

Section 6. The Vice President in absence of the President shall be paid 10 hours per week for any weeks worked.

ARTICLE XI

Amendments

Section 1. These By-laws may be amended or changed by any such proposal being submitted in writing before the close of acceptance at 2:00 P.M. the day of the regular January membership meetings. Copies of all proposals will be made available at the Union Hall, within ten (10) days.

All proposals will be read and voted on at the March membership meetings. If a majority of the members present and voting to approve the proposed amendment or change, it will be carried and approved. All dues change proposals will be voted on by secret ballot after being read and passed by a majority of the members present at the membership meetings.

In the case of an emergency, special Membership Meetings may be called by the President or a majority of the Executive Board for the sole purpose of amending the By-Laws, (i.e. Article V).

Section 2. All by-laws submitted, to be accepted, must contain the name & WWID of the person(s) submitting the by-law change. In the case of a by-law submitted by the appointed By-laws Committee this is to be so stated. Each by-law change submission must include the Article and Section numbers, along with the existing language as written AND the proposed language change written in red.

ARTICLE XII

Non-Discrimination

Section 1. The Union shall not discriminate against any person(s) because of sex, color, handicap, national origin, age, religion, sexual orientation, gender identity and/or expression.

Furthermore, the Union agrees to comply with all applicable laws prohibiting discrimination.

ARTICLE XIII

Strike and/or Lockout Fund

Section 1. By March 31, 2024, the Secretary/Treasurer will deposit an additional (one hundred thousand dollars) \$100,000 from the present savings/CD account for a total of (three hundred and fifty thousand dollars) \$350,000.00. The interest on this account will be added to the general fund.

Section 2. In the event of a strike every person who walks picket shall receive (ninety dollars) \$90.00 for each time they walk. The length of time on picket and the numbers of picketers will be determined by the Executive Board at the time of a strike or lockout.

Picketers will be chosen in seniority order from a list of volunteers who sign up at the Union Hall.

It is the responsibility of each member to sign up for picket. The union will not be held responsible or be liable for any single individual's name not appearing on the picket list.

Checks for the picket duty will be mailed to members by the Secretary-Treasurer upon verification of picket duty.

The Strike Fund will cover all members of the Union, but only those members on strike will receive the \$90.00 (ninety dollars) for picketing.

ARTICLE XIV

Union Publication

Section 1. There shall be official communication to the membership to educate and acquaint the membership with the activities of their Union. This official communication will be provided via email or other forms of communication that have been sanctioned and utilized by The Executive Board of the OCU and/or the OCU website.

ARTICLE XV

Notice of Intention to Terminate Labor Agreement

Section 1. Written notice of the intent to terminate, modify, or amend the current Labor Agreement will be sent to the Company (President) and the Federal Mediation and Conciliation Service (FMCS). Such notice will be made using the most current FMCS form available and will be sent by registered mail at least seventy (70) days prior to the expiration of the current labor Agreement. It shall be the responsibility of the President to send this form.

ARTICLE XVI

Ratification Committee

Section 1. The Ratification Committee shall be composed of the Area-Representatives. The purpose of this committee is to have a person stationed at the union hall, as deemed appropriate by the Executive Board during preparation, and negotiations of labor agreements. The following rules shall govern this committee:

- 1) The committee members will elect a Chairperson and a Recording Secretary, by secret ballot.
- 2) The Chairperson will take charge of all meetings of the committee and shall have a voice in all proceedings of the meeting but will have no vote other than in the case of a tie vote. All decisions of the Ratification Committee will be decided by a majority vote, by secret ballot.
- 3) The Recording Secretary will keep records of all business and all votes taken. These records shall become the property of the Union.
- 4) The Ratification Committee will have an organizational meeting six (6) months prior to any expiration of a labor agreement, for the purpose of formulating their plan of action. Some of the duties of this committee shall be:
 - *Preparing a strike list, i.e., names, locations, and time preferences,
 - *Acquiring any necessary permits for rallies, etc.,
 - *Notification of the media,
 - *Running the day to day affairs of the union at the direction of the board,
 - *Promote unity within the membership.
- 5) In the event of a strike a member of the Ratification Committee will be stationed at the union hall, at times designated by the Executive Board.
- 6) The Ratification Committee shall discuss subsequent contract proposals and decide by secret ballot whether to forward such proposals to the membership or send it back to the negotiating committee with recommendations for further bargaining.
 - a) To take a vote on a contract proposal the Ratification Committee must consist of at least three (3) members directly affected by the contract. If not, all proposals will refer directly to the membership covered by that agreement.
 - b) Only those members on the Ratification Committee directly affected by the labor agreement shall vote as stated above.
- 7) The wage of the Ratification Committee shall not exceed (one hundred dollars) \$100.00 a day per person.

ARTICLE XVII

Installation Ceremony

Section 1. The installation ceremony will be performed by the Secretary-Treasurer at the first monthly meeting after said Officers are elected or re-elected. Each Officer shall read aloud, sign, and keep on file the following pledge and oath of office:

I, _____, do hereby solemnly pledge on my honor, that I will faithfully discharge my duties as an officer of the Office Committee Union. I will support by every means within my power its Constitution, and I will enforce it to the best of my ability. I will constantly keep the best interest of the membership before me and bear in mind that I am to represent the People. At the expiration of my term of office, I shall deliver to my successor all books, papers and other property in my possession belonging to the Union.”

Signed) _____

Witness) _____

Revised:

July	1980
August	1981
February	1983
February	1984
February	1985
February	1986
February	1987
February	1988
February	1989
February	1991
February	1992
February	1993
February	1995
March	1996
March	1997
March	1998
March	1999
March	2000
March	2001
March	2002
March	2003
March	2004
March	2005
March	2007
March	2009
March	2010
March	2013
March	2015
March	2016
March	2017
March	2019
March	2020
March	2021
March	2023
March	2024