



INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS®

EDWARD A. KELLY
General President

FRANK V. LÍMA
General Secretary-Treasurer

February 9, 2022

VIA ELECTRONIC DELIVERY ONLY

Rocky Hanes, Secretary-Treasurer
IAFF A-36 – Oregon State Fire Fighters Council
PO Box 1904
Lake Oswego, OR 97035-0613
sectreas@osffc.org

Dear Brother Hanes:

I have reviewed your amended Constitution and By-Laws to determine its compliance with the IAFF Constitution and By-Laws. Your Constitution and By-Laws is **APPROVED**.

Although I am approving your Constitution and By-Laws, I have noted a certain required change below. Within 180 days, please revise your Constitution and By-Laws, have your membership vote to adopt the changes, and submit your amended Constitution and By-Laws to my office for approval by emailing constitution@iaff.org.

REQUIRED CHANGE

Article 14, Section 2: In accordance with Article XVIII of the International Constitution and By-Laws, please reinsert “thirty (30)” after “within” and before “days.” Such appeals must be filed with the General President of the Association within thirty (30) days of the action to be appealed.

Thank you for your attention to the foregoing matters. If you have any questions, please contact the IAFF Legal Department at (202) 824-1508.

Your approved Constitution and By-Laws is enclosed. We have retained a copy for our records.

Sincerely and fraternally,

Edward A. Kelly
General President

Enclosure

EAK/MKM:plh

Cc: Michael Frainier, Vice President, IAFF District 9
Karl Koenig, President, IAFF A-36 (local1159@mac.com)



OREGON STATE FIRE FIGHTERS COUNCIL **CONSTITUTION AND BY-LAWS**

ARTICLE 1 - ORGANIZATION

SECTION 1. This organization shall be known as the Oregon State Fire Fighters Council, Chartered by the International Association of Fire Fighters.

SECTION 2. References in this Constitution and By-Laws to "council" shall refer to the Council as set forth in Section 1 above, and references to the Association" or "International" shall refer to the International Association of Fire Fighters.

SECTION 3. This Council, its officers, representatives and members, shall recognize, observe and be bound by the provisions of the Constitution and By-Laws of the International Association and interpretations rendered by the International General President, the resolutions, decisions and directives of the Executive Board or officers of the Association when made in conformity with the authority granted by the Constitution and By-Law of the Association, and the resolutions, adopted and policies established by the delegates at conventions. Article 14 of the Constitution and By-Laws of the International Association is recognized as providing the basic rules governing this council.

SECTION 4. The delegates assembled at Council Conventions shall be the supreme authority of the Council and constitute its highest legislative, executive, and judicial body. All decisions and actions of the delegates at conventions shall be binding upon all officers of this Council. They shall have sole authority to make, amend, revise, or modify the laws for the government of this Council except as that authority may be delegated at convention to the officers or Executive Board or except as such laws may be superseded by applicable law. Between Convention of the Council all administrative, executive and judicial powers of this Council shall be vested in the Executive Board except as otherwise expressly provided in the Constitution and By-Laws. It is the obligation and responsibility of every officer and member of this Council to comply with the provisions of this Constitution and By-Laws.

International Association of Fire Fighters
AFL-CIO, CLC
APPROVED

IAFF, General President
2/9/22 Date

ARTICLE 2 - OBJECTS

SECTION 1. The objects of this Council shall be to conduct a Legislative Program as prescribed by the delegates in convention; to encourage the formation of local unions; to encourage the formation of sick and death benefit funds in order that we may properly care for our sick and bury our dead; the cultivation of friendship and good fellowship among its members; to establish better working conditions through legislation and education.

SECTION 2. The OSFFC will phase in a contract assistance program. This program will begin in December 1998 and increase as the OSFFC perceives the need for further assistance to member Locals.

ARTICLE 3 - JURISDICTION

SECTION 1. The jurisdiction of the Oregon State Fire Fighters Council shall be as follows: All full-time, paid employees engaged in firefighting and related services.

ARTICLE 4 - MEMBERSHIP

SECTION 1. The membership of this Council shall comprise of such local unions in the State of Oregon as hold valid International Association of Fire Fighters charter.

SECTION 2. In addition to the membership of affiliated local unions within the State, the Council may admit to membership only individuals from cities or towns wherein statutes prohibit the formation of a firefighters local or wherein no local exists provided that such applicants otherwise meet the qualifications of membership in the International. Such individuals membership shall be known as member-at-large. After approval of the Council Executive Board and upon payment of the current initiation fee, the I.A.F.F. per capita tax, plus the dues of this organization be recognized as members-at-large. The Secretary-Treasurer of this Council shall pay to the IAFF the required initiation fee of a regular member of a Local Union and the required per capita tax of a regular member of a Local Union out of the monies received from the member-at-large. The balance will remain in the treasury of the Oregon State Fire Fighters Council.

SECTION 3. Honorary and Emeritus membership in this Council may be conferred by the action of the Executive Board or by the action of the convention.

SECTION 4. Local unions and/or individuals qualified to submit application for memberships may obtain a membership application from the Vice President of the District in which such proposed union is located. Such forms shall be answered in full and returned to the Secretary-Treasurer of the council accompanied by a check or money order covering one month's dues for each applicant.

SECTION 5. Maintenance of good standing. Membership in good standing in this council includes any person who has fulfilled the requirements for membership and who has not voluntarily withdrawn from membership, or been suspended or expelled as provided in this Constitution and By-Laws or those of its subordinate unions approved as required herein. Members who fail to pay their dues or assessments within the periods prescribed in Article 12 of this Constitution and By-Laws will be considered delinquent and subject to automatic suspension from membership of this Council. Members who are delinquent, under suspension, or otherwise not in good standing are not entitled to any voice or vote in council meeting.

SECTION 6. The Council shall allow the affiliation of retired fire fighters for the purpose of political education and political action provided such retired fire fighters were members, in good standing, with a Council affiliated local upon their retirement.

(a) In order to be eligible for membership in this Council, as a retired fire fighter, the individual shall maintain membership in the International as an active retired member through affiliated local union.

(b) Article 4, Section 6 (b) Council Membership dues for a retired fire fighter shall be 50% of the regular Council per capita dues excluding any assessments. Each active retiree will be counted as $\frac{1}{2}$ (.5) delegate vote.

ARTICLE 5 - REPRESENTATION IN CONVENTION

SECTION 1. Locals with membership of nine (9) or less shall be entitled to one (1) delegate in convention. Membership of ten (10) to forty (40) (inclusive) members shall be entitled to two (2) delegates in convention, membership of forty-one (41) to one hundred (100) (inclusive) members shall be entitled to three (3) delegates in convention, membership of one hundred one (101) to two hundred (200) (inclusive) members shall be entitled to four (4) delegates in convention, and one (1) additional delegate shall be allowed for every one hundred (100) additional members or major fraction

thereof. If a single local represents multiple bargaining units, one (1) delegate per additional bargaining unit will be allowed. That delegate must be a member in good standing of the specific bargaining unit and will carry all the votes for that bargaining unit. Those votes will be subtracted from the total of the local for the purposes of a roll call vote. In no circumstance shall a Local receive more delegates than they would have, had the bargaining units been individually organized.

- (a) The OSFFC lobbyist position (hereafter named Legislative Director) shall be a delegate-at-large, entitled to vote, and shall not be counted as a delegate-at-large from the local union in which they hold membership. Provided that the position of Legislative Director is held by a member, in good standing, of an OSFFC affiliated local.

SECTION 2. All Executive Board members shall be delegates at large, entitled to vote, and shall not be counted as a delegate from the local union in which they hold membership.

SECTION 3. The delegate must be a member in good standing with the local union which they represent, provided however, local unions with 25 or less members who do not send a delegate to the convention may be represented by a joint delegate by giving its proxy to another local union providing the following conditions are observed:

- (a) A local union granting a proxy and a local union accepting the proxy must be in the same council district.
- (b) No local union may, in addition to its own delegate representation, accept proxies to represent membership in excess of 50.
- (c) Proxy voting shall be permitted only in a call of the roll vote and shall be cast by the chairman of the carrying local's delegation.

SECTION 4. No member shall be entitled to vote in convention other than duly accredited delegates and elected officers of this council.

SECTION 5. A delegate must be present to cast his vote.

SECTION 6. Representation shall be based upon the average membership upon which per capita tax was paid during the last six months of the previous calendar year. Local unions affiliating after the last six months of the previous calendar year shall have representation based upon the months for which they have been affiliated divided by six.

SECTION 7. Local unions in good standing, shall be allowed one alternate delegate for each delegate authorized by Section 1 of this Article.

(a) Alternate delegates may be seated in the absence of the regular delegates upon presentation of proper credentials.

(b) Alternate delegates may be assigned to the various committees in order to more completely learn by participation in discussion and deliberation, but have no vote.

SECTION 8. Any local, to be entitled to representation in convention, shall have per capita tax and assessments paid on their full membership up to and including the month previous to the month of convention.

SECTION 9. The Secretary-Treasurer shall mail credential blanks to the Secretaries of all affiliated locals at least sixty (60) days prior to the date of the convention of this council.

SECTION 10. A quorum, necessary to conduct the business of convention shall consist of five locals, representing three districts.

SECTION 11. Resolutions for action at the convention must be submitted to the council Secretary-Treasurer at least 30 days prior to the convention. The council Secretary-Treasurer shall mail all resolutions so received to all affiliated locals 15 days prior to the convention. Rules may be suspended at convention to submit a late resolution. If a resolution has a cost factor it must be provided by the author of the resolution and verified by the council Secretary-Treasurer.

SECTION 12. All Convention Resolutions, if approved by the delegates, shall be reviewed by the Executive Board and they shall make recommendations for deletions of any previously approved resolutions at the next subsequent convention.

ARTICLE 6 - TIME OF CONVENTION

SECTION 1. This council shall convene biennially, in the even number years for a Constitutional Convention, in such location as shall be decided by a majority vote of the delegates assembled in convention. Prospective(s) bidding locals shall submit a resolution desiring to host the convention.

SECTION 2. In the event that no jurisdiction makes an appeal for the convention, the selection of the convention location shall be decided by the Executive Board.

SECTION 3. The host local shall provide the convention Chaplin.

SECTION 4. The cost of the convention shall be borne by the OSFFC.

ARTICLE 7 - DISTRICTS

SECTION 1. The State shall be divided into districts with District #1 consisting of the City of Portland; the other districts shall consist of locals as decided by convention. The President of the State Council shall assign newly affiliated locals to the council districts subject to the approval at the next convention.

(a) Local unions with at least ~~200~~ **300** members per Article 5 Section 6 may be assigned to their own district and shall have their own District Vice President. The intention must be made at or before State Convention.

SECTION 2. All districts shall have the ability to self-impose, and levy, an additional per capita tax. The specific amount of this additional per capita tax payment shall be determined by the Locals of the District by drawing a budget for anticipated expenses. The delegates in convention, from the affected District, shall approve this additional per capita tax payment. This vote shall be a ballot vote at the District Caucus

(a) This per capita tax, shall be collected by the OSFFC Secretary/ Treasurer on a monthly basis in conjunction with the OSFFC Per Capita. This fund shall be maintained as a separate account from the general fund and shall not be transferred to the general fund. These funds will be disbursed in the manner specified in the District Budget

ARTICLE 8 - OFFICERS

SECTION 1. The officers of this Council shall consist of a President, Secretary-Treasurer, and District Vice-Presidents, who shall comprise the Executive Board.

(a) Any Executive Board Member who is absent, unexcused, from two (2) consecutive meetings shall have their office declared vacant by majority vote of the Executive Board.

SECTION 2. All officers shall be elected every two (2) years for a term of two (2) years.

(a) The President and Secretary-Treasurer shall be elected by the delegates assembled in convention.

(b) District Vice-Presidents shall be elected by delegates of the respective districts at convention.

(c) A member of the Oregon State Fire Fighters Council, to be nominated for office, must be a member in good standing of an accredited Local.

(d) In voting for all officers each local union of this association shall have the same number of votes to which it is entitled on a roll call vote as provided for in Article 5 Section 6.

SECTION 3. A majority vote, by written secret ballot, shall be necessary to elect.

(a) Except with the respect to the election of District Vice-Presidents, if more than three candidates are nominated for the same office, none of who receives a majority of the votes on the first ballot, all candidates other than the three leading candidates shall be dropped and balloting shall continue, dropping the candidate with the least number of votes, until one candidate receives the majority.

(b) With respect to the election of District Vice-Presidents, if no candidate receives a majority of the votes on the first ballot the candidate receiving the lowest number of votes shall be dropped and balloting shall continue in this manner until a candidate receives a majority vote for election of Vice-President of said district.

(c) Except as provided by Article 8, Section 6a with the respect to voting by the Executive Board in the case of a tie in the election of District Vice Presidents, the District Vice President shall be entitled to vote in the election of District Vice President in the district they represent.

SECTION 4. No officer of this council shall hold more than one council elective office at any one time.

SECTION 5. Nomination of President and Secretary-Treasurer shall be from the floor of the Convention on the second day of Convention. Only those members nominated from the floor of the Convention shall appear on the election ballot. Write-in candidates shall not be counted in vote. Nominations of District Vice-Presidents shall be from the floor of the Convention upon the completion of the election of President and Secretary-Treasurer.

SECTION 6. The President shall appoint an election committee who shall prepare the ballots of nominees for office, distribute the ballots, count the ballots, and announce the results of the election. In the event of a tie after three ballots have been cast for any elective office, the entire Executive Board members shall cast ballots for the office for which a tie occurs.

(a) If a member of the Executive Board is involved in an election, they may not vote in case of a tie as an Executive Board Member.

SECTION 7. Election of officers shall take place ~~upon convening the third morning~~ on the last day of the convention. Only those delegates in continuous attendance since nominations may vote unless excused by the convention. **If nominations for office result in only one candidate being nominated, thus declaring him/her the winner by acclamation, the convention may be concluded.**

SECTION 8. Vacancies in office; should a vacancy occur in:

(a) The office of President or Secretary-Treasurer, the remainder of the Executive Board shall be empowered to appoint a replacement until the next regular convention. Each district shall be requested to submit the name of one member for consideration.

(b) The office of a District Vice-President, the district affected shall elect a replacement. The manner of this election shall be at the discretion of the respective districts.

(c) After Vice Presidents have been elected by their respective districts, Delegates at Convention shall elect one of the Vice-Presidents to fill in as President when the president is absent or not available. The Vice President so elected shall be known as the Senior Vice President.

SECTION 9. Expenses and salaries of all officers and committees shall be determined by convention and defined in the policy statement.

SECTION 10. All rights to attend conventions or seminars, and all rights to allowable expenses for same, shall be transferred to newly elected and installed officers of this Council immediately upon adjournment of the State Council Convention.

ARTICLE 9 - DUTIES OF OFFICERS

SECTION 1. It shall be the duty of the President to preside at all conventions and meetings of this Council and meetings of the Executive Board. The president shall appoint all committees and be an ex-officio member of all committees unless otherwise ordered.

SECTION 2. Upon written request of majority of affiliated locals in good standing, the President must place a call for a special convention. The President shall perform such duties as the Council may require of them. The President shall, together with the Secretary-Treasurer, and in conjunction with the executive board, have complete control over the printing of all organization printed matter, and all works of the organization. The President shall have the power to call a meeting of the executive board by giving members of said board at least ten day's notice. The Executive Board shall appoint the legislative representative. The legislative representative shall have the power to appoint anyone familiar with the legislative bill.

SECTION 3. In the absence of the President or Secretary-Treasurer, the remaining Executive Board members shall appoint an officer pro-tem for the absent officer.

SECTION 4. An absent District Vice-President may be represented by a district representative, appointed by the District Vice-President.

SECTION 5. The Secretary-Treasurer shall keep a correct account between the council and its members; shall issue receipts for all money received; shall collect dues and issue cards as receipts for all membership-at-large. The Secretary-Treasurer shall deposit all money in banks recommended by the Executive Board; keep a correct record of all money received and expended; make a financial report, biennially to the delegates assembled in convention and at such other times as directed by the Executive Board. The Secretary-Treasurer shall pay all bills ordered by the council and shall submit the books and receipts for audit approval, when called upon to do so. The books of the Secretary-Treasurer shall be audited by a certified Public Accountant annually upon completion of the Council's fiscal year. The audit report shall be mailed to the Secretary of all affiliated local unions. The Secretary-Treasurer shall be the custodian of the official seal and shall keep a correct record of all proceedings and all other records of this Council. The Secretary-Treasurer shall keep record of all membership of each Local, and the name and address of each member at large. The Secretary-Treasurer shall furnish that committee on credentials at convention a statement of the financial standing of the Council of each local, and the number of delegates that may be seated by each Local. At the end of their official term the secretary-treasurer shall turn over to their successor all money, property and records of this council that may be in their possession.

SECTION 6. District Vice Presidents shall service as a liaison between the Locals in their District and shall coordinate thru the President and E-Board the interest of those locals. A majority of Vice Presidents must be present or polled to vote on Board policy or allocations of funds. District Vice Presidents shall attempt to monitor the House and Senate Districts in their District. They shall attempt to advise the Locals with political actions in those districts. District Vice President' s duties may include advising Locals of their District of matters relating to wages, hours, and conditions of employment or any other subject requested by the Local, to monitor activities in the District relating to contract coordination and ensure such work is being completed.

SECTION 7. All District Vice-Presidents shall hold semi-annual district caucus' of the locals in their districts.

SECTION 8. All officers and employees of the Council who handle funds or property of the Council shall be bonded in such amounts as may be required by the Board of Trustees and the International General Secretary-Treasurer, in compliance with applicable law. The expense of the first \$5000 of Bond shall be borne by the International. If additional bond is necessary, the Council shall pay the additional premium. The local shall have sufficient bond to cover at least ten (10%) percent of its current liquid assets.

ARTICLE 10 - COMMITTEES

SECTION 1. All Convention Committees shall serve for a two (2) year period and may be called to order by the President.

(a) No Local, affiliated with this Council, shall submit legislation to the Legislature without notification to the convention, Executive Board or legislative committee.

(b) Any unauthorized lobbying by a Local on legislative bills shall be at their own expense.

SECTION 2. The "FIRE-PAC" Committee shall consist of the Executive Board, and the Legislative Director.

ARTICLE 11 - AFFILIATION

SECTION 1. This Council may affiliate with the Oregon AFL-CIO and such other organizations as may be directed from time to time.

SECTION 2. The President and Secretary-Treasurer shall be delegates to all conventions of the International Association of Fire Fighters, Oregon AFL-CIO, and Oregon State Fire Fighters Council. They may also attend seminars and/or meetings upon approval of the Executive Board.

SECTION 3. If the President or Secretary-Treasurer are unable to attend the above listed convention except the International Convention, they may appoint a replacement. The Constitution of the International requires all delegates and alternates to the International Convention, other than those who are automatic by virtue of office, must be elected by secret ballot vote of the membership.

ARTICLE 12 - REVENUES

SECTION 1. The revenues of this council shall be derived as follows:

- (a) From a per capita tax of Local Unions, the amount of which shall be determined by a budget adopted by a majority vote of the delegates seated in convention.
- (b) Dues for membership at large shall be equal to the current International per capita tax plus the current Council per capita tax, and shall include membership in the International.

SECTION 2. Per capita tax shall be payable at least monthly, and in advance, to the Secretary-Treasurer of the Council.

(a) Any Local that is in arrears in excess of thirty (30) days shall be notified by certified mail with return receipt requested, that within thirty (30) days if their per capita tax is not paid up to date, they shall be suspended. A copy of this notice shall also be mailed to the President of said Local and District Vice-President.

(b) Per capita tax shall not be paid to the Council monthly on persons paying agency shop or similar fees to a member local union in lieu of Membership Dues.

SECTION 3. An increase of \$.05 in per capita tax shall be permitted by a majority vote of the Executive Board.

(a) Any increase over \$.05 would require a unanimous vote of the entire Executive Board or be referred to the entire membership in good standing by a secret ballot referendum vote.

(b) Increases adopted by the Executive Board shall be effective only until the next convention of the Council.

SECTION 4. An assessment shall be permitted by a unanimous vote of the Executive Board, or be referred to the entire membership in good standing by referendum.

SECTION 5. The Executive Board shall have the authority to suspend any fines, assessments, and per capita tax in negotiating the reinstatement of suspended Locals.

SECTION 6. The Executive Board by two-thirds (2/3) vote shall be empowered to give relief to any local that they feel is deserving of relief from fines, assessments and/or per capita tax levied against them.

SECTION 7. An Emergency Fund known as the "Brandenburg Fund" shall be maintained separate and removed from all other monies of the Oregon State Fire Fighters Council for the express purpose of assisting locals in financial need, and issues of statewide concern affecting members of the Oregon State Fire Fighters Council. Disbursements from this fund may be used in the form of loans or grants and may only be authorized by a two-thirds (2/3) vote of the delegates in convention or by the unanimous vote of the entire Executive Board. It is required that Locals requesting any such assistance set their monthly dues first at least 1% of the top firefighter in their department, and have their most recent Labor Agreement on file. No assistance shall be granted to locals whose union dues are not at least 1% of top pay for firefighters of their department for a minimum of one (1) year prior to their request, or who does not have their current Labor Agreement on file at the OSFFC Office. This requirement may be waived by a unanimous vote of the Council Executive Board in matters of statewide concern. Union dues to qualify shall mean the amount paid by members that is used to specifically for the running of their local and shall not include insurance, health and welfare, etc. If a local encompasses more than one department and more than one wage level, percentages shall be determined by the average firefighter's wages in the departments involved in the local.

(a) The Brandenburg Fund amounts shall be a budgetary item. This amount shall be included in the budget adopted by the Council.

(b) Per capita tax for the "Brandenburg Fund" shall be charged equally to all locals within the OSFFC and such per capita shall be no less than \$.20.

SECTION 8. An OSFFC Political Fund shall be established and maintained for the express purpose of assisting those political candidates that the FIRE-PAC Committee deems necessary in an effort to achieve the state legislative goals of the OSFFC:

(a) The Political Campaign Fund amounts shall be a budgetary item. This amount shall be included in the budget adopted by council.

(b) Per capita tax for the "Political Campaign Fund" shall be charged equally to all locals within the OSFFC." And such per capita shall be no less than \$.20.

ARTICLE 13 - ARREARS

SECTION 1. A local suspended for failure to pay per capita tax or other fees due this council may be reinstated upon payment of all arrearage. The Executive Board shall have the authority to determine the method under which such local unions are reinstated or re-affiliated, provided such terms and conditions shall not become effective for, nor applicable to, such local union until approved in a mailed ballot election by the local unions in good standing with the council. In such an election, each local shall have one (1) vote and a simple majority of those voting shall prevail.

ARTICLE 14 - MISCONDUCT, TRIALS and APPEALS

SECTION 1. Any member or officer charged with misconduct as defined in Article 15 of the International Constitution and By-Laws shall be served with written specific charges as required in Article 16 of the International Association Constitution and be given ~~thirty (30)~~ **one hundred and twenty (120)** days to prepare their defense and afforded a hearing as provided in Article 17 of the International Association Constitution.

SECTION 2. Appeals may be made in accordance with Article 18 of the International Constitution and By-Laws, such appeal must be filed with the General President of the Association within ~~thirty (30)~~ **one hundred and twenty (120)** days of the action to be appealed.

ARTICLE 15 – AMENDMENTS

SECTION 1. Amendments to this Constitution must be submitted in writing and referred to the committee on Constitution and By-Laws for their recommendation to the council. All resolutions that concern a change in the Constitution and By-Laws shall be required to refer to the section of said Constitution in the Resolution. The adoption of an amendment shall require a two-thirds (2/3) vote of the delegates present and voting.

SECTION 2. The sponsor of all resolutions submitted at convention, with the assistance of the Secretary-Treasurer, shall estimate a cost factor for all resolutions and so affix to said resolution. The aggregate sum of all cost assigned to Resolutions adopted by convention shall be paid monthly in addition to the per capita tax. These additions will become effective the first day of January following adjournment of the Convention at which they were adopted unless otherwise ordered by the resolution.

SECTION 3. A proposed amendment to this Constitution or any By-Laws made under its provisions, shall be submitted for approval to the International General President after adoption by the Council but prior to its printing, issuance, or effectiveness.

ARTICLE 16 - ORDER OF BUSINESS

- SECTION 1. (1) Roll Call of Officers
(2) Reports of Committee on Credentials
(3) Roll Call of Delegates
(4) Reading and Approval of Minutes
(5) Memorial Services
(6) Reports of Officers
(7) Reports of Locals (as time permits)
(8) Communications and Bills
(9) Reports of Standing Committee
(10) Reports of Convention Committees
(11) Unfinished Business
(12) Nomination and Election of Officers
(13) Installation of New Officers
(14) New Business
(15) Naming Place of Next Convention
(16) Good of Order
(17) Receipts and Expenditures
(18) Adjournment

ARTICLE 17 - RULES OF ORDER

SECTION 1. Deliberations of this Council shall be governed by the most recent edition, ~~11th, 2011 Roberts Rules of Orders,~~ **12th Edition, 2020 Roberts Rules of Orders** to the extent that such Rules are not superseded by the expressed provisions of this Constitution and By-Laws.

ARTICLE 18 - RECALL

SECTION 1. A move for recall of an officer of this council may be initiated either by a majority of the Executive Board or by seven (7) local unions from three (3) separate districts.

SECTION 2. The move for recall must be accompanied by sufficient proof that the officer has acted dishonestly, or otherwise detrimental to the best interests of the members of the council.

SECTION 3. Copies of the charges must be submitted in duplicate to the Executive Board with the petition for recall, one copy of which is to be transmitted to the officer against whom the charges have been preferred.

SECTION 4. The officer who has had recall proceedings filed against them shall have thirty (30) days to reply to the charges in writing. If the officer fails to present a reply to the Executive Board within the thirty (30) days, the Board shall proceed with the recall election without the reply.

SECTION 5. The recall election shall involve only those locals eligible to vote in an election for the office concerned.

SECTION 6. Copies of the charges and the reply, if submitted, shall be mailed with each ballot and shall not exceed (1000) words each.

SECTION 7. Each local union shall return the recall ballots to the council Secretary-Treasurer within 30 days.

ARTICLE 19 - ROLL CALL VOTE

SECTION 1. A call of the roll may be demanded by 30% of the delegates present and voting at convention. Upon such roll call each local union is entitled to one vote for each member of the local union for whom the prevailing full per capita tax has been paid determined on the basis of the average amount of the per capita tax paid monthly by the local during the last six (6) months of the previous calendar year. Local unions affiliating after the last six (6) months of the previous calendar year shall have representation based upon the months for which they have been affiliated divided by six.

ARTICLE 20 - REFERENDUM VOTE

SECTION 1. A referendum vote of the entire membership in good standing of the council shall be authorized by the majority vote of the Executive Board.

SECTION 2. The Secretary-Treasurer shall submit such referendum to all affiliated locals in good standing with the number of votes said local is entitled to, based upon the preceding month per capita.

SECTION 3. Local unions shall return referendum vote to the President of the Council not later than thirty days from date of the mailing.

SECTION 4. On receipt of the sealed and attested results, the Council President shall open same and tabulate the contents. The President shall submit the final results to the other members of the Executive Board, who shall in turn attest to the correctness of the President's statement.

SECTION 5. It shall require a majority of the vote cast to decide all questions.

SECTION 6. The final result shall be remitted to all locals in the council.

AMENDED AT CONVENTION
February 2021

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