



EDUCATION DEPARTMENT

Guide for Drafting Local Union Bylaws

**Constitutional Provisions
and Suggested Procedures**

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Introduction

If you are reading this guide, you have probably been entrusted to help draft your Local Union's new Bylaws or amend your Local Union's existing Bylaws. Whatever your particular reason for accessing this guide, we hope that you find it helpful in the task you and others have been entrusted to fulfill.

Under Article 37, Section 3 of the International Union, UAW Constitution, it is mandatory for all Local Unions to establish and ratify Bylaws. Bylaws must be submitted to the International Executive Board for review and ratification and are not effective until that submission, excluding limited exceptions that are specified in Article 37, Section 3.

Along with the UAW Constitution, your Local Union Bylaws serve as the "law of your Local Union" and establish the processes, protocols and procedures that govern the rights of your Local Union's members. This Guide is meant to assist you in that important work.

1. Name

A provision such as the following should be the first article of your Bylaws:

*This Organization shall be known as Local No. _____,
International Union, United Automobile, Aerospace and Agricultural
Implement Workers of America (UAW).*

Some Local Unions may wish to include in the name the city in which they are located or plant over which they have jurisdiction; i.e., Lansing Local 100 or Buick Local 200. This additional name or designation may, of course, be included in the name if the membership desires.

2. Constitution and Bylaws

To comply with Article 1 of the UAW Constitution, the Local Union Bylaws should contain a provision similar to the following:

*The Constitution of this Local Union shall be the Constitution of the
International Union, UAW, and these Bylaws shall be in all respects
subordinate to said Constitution and all applications and
interpretations thereof.*

Bylaws submitted by Units of Amalgamated Local Unions should include the following language:

These Unit Bylaws are, in effect, a supplement to the Bylaws of Local _____ and wherein these Unit Bylaws do not provide for Constitutional provisions, the Bylaws of Local _____ will be used. In addition, the Unit and Local Union Bylaws shall be in all respects subordinate to the UAW Constitution and all applications and interpretations thereof.

3. Fiscal Year

For reporting, accounting and other purposes, the Bylaws should contain the following provision:

The fiscal year of this Local Union shall begin on January 1 and end on December 31.

4. Membership

The following provisions are recommended for inclusion in the membership article:

- a. *The Local Union shall be composed of workers eligible for membership in the International Union, United Automobile, Aerospace, and Agricultural Implement Workers of America (UAW), over whom the Local Union has jurisdiction.*
- b. *Each member in good standing of this Local Union has the right to nominate and vote, express opinions on all subjects before the Local Union, to attend all membership meetings and express views, arguments and opinions on all matters and business, including candidates for office, properly before the meeting; to meet and assemble freely with other members and generally, to participate in the activities of the Local Union in a responsible manner consistent with good conscience in order to present and discuss factually and honestly the issues and personalities upon which the membership must base its decisions. These rights shall at all times be subject to the rules of procedure governing meetings and other uniform rules and regulations contained in the UAW Constitution, policies of the International Executive Board, these Bylaws and other official rules of the Local Union.*

A member in exercising the foregoing rights and privileges shall not take any irresponsible action which would tend to jeopardize or destroy, or be

detrimental to, either the Local or International Union as an organization, or their free democratic heritage, or which would interfere with the performance by this Local Union or the International Union of its legal or contractual obligations as a collective bargaining agent, or interfere with the legal or contractual obligations of this Local Union as an affiliate of the International Union.

Violations or abuse of these rights and privileges of membership, or engaging in conduct prohibited by this section, shall be considered conduct unbecoming a union member.¹

- c. The membership shall strive to obtain the objectives set forth in the UAW Constitution and additional objectives as established as the policy of the International Union; to maintain free relations with other organizations; to do all in its power to strengthen and promote the labor movement; to cooperate with its Regional Director, International Representatives and help promote organizational activities.*

5. Membership Meetings

The Bylaws should contain a provision establishing regular monthly membership meetings and a procedure and notice requirement for calling a special membership meeting. It may be desirable in some situations to have an additional section setting forth a streamlined procedure and notification requirement for an emergency membership meeting; i.e., the notification requirements might be posting for as many hours as possible with verbal and electronic notification by Committeepersons and Stewards to as many members as they could contact.

The Bylaws should either provide that those members in attendance at a meeting will constitute a quorum, or otherwise provide a reasonable quorum requirement.

The Bylaws should contain the following provision in this article:

Any member who attends a meeting in an intoxicated condition and/or creates a disturbance, or becomes unruly shall lose voice and their right to vote at said meeting. When necessary to maintain order, the member may be evicted from the meeting by order of the Chairperson subject to the challenge of the membership. Flagrant or persistent violation of this section by any member shall be conduct unbecoming a union member.²

¹ This provision is necessary for the Local to fully protect itself under the law.

² This provision is necessary for the Local to fully protect itself under the law.

For clarity and information, the Bylaws should repeat the sentence at the end of Article 42 of the UAW Constitution specifying that “*questions of a parliamentary nature shall be decided by Robert’s Rules of Order.*”

6. Powers of Administration

To provide for the administration of the Local Union, provisions along the following lines should be included:

- a. *The membership is the highest authority of this Local Union and shall be empowered to take or direct any action not inconsistent with the UAW Constitution or these Bylaws.*
- b. *Between membership meetings, the Executive Board shall be the highest authority of the Local Union and shall be empowered to act on behalf of the membership to the extent urgent business requires prompt and decisive action, subject to subsequent membership approval, but the Executive Board may not take action affecting the vital interests of the Local Union without prior membership approval.*
- c. *Between meetings of the Executive Board, the President shall exercise general administrative authority and shall be empowered to act on behalf of and take action permitted to the Executive Board, subject to subsequent approval of the Executive Board.*

7. Local Union Officers

This article should contain a provision establishing the Executive Officers of the Local Union in accordance with Article 38, Section 1 of the UAW Constitution. If a Local Union desires to have more than one Vice President, the number of Vice Presidents should be set forth in this section.

If a Local Union elects more than one Vice President, the Vice Presidents should be titled as “First Vice President,” “Second Vice President,” etc. The Bylaws should specifically provide that only the First Vice President would succeed to the presidency in the event of a vacancy in that office. The Bylaws should further specify that if the First Vice President should succeed to the presidency, the First Vice Presidency would be filled by a special election in the same way as any other vacated executive office, other than the presidency, would be filled. (*Specific and detailed procedures for conducting elections for Local Union officers are contained in “**Guide for Local Union Election Committees**”.*)

There should be a provision in accordance with Article 38, Section 14, providing for a prompt special election to fill the vacancy in any executive office other than

the presidency, and if desired, a procedure setting forth the *“other means for filling such vacancies for the temporary period pending the holding of the election.”*

There should be a provision that in any special election to fill a vacancy, the procedure outlined in Article 38, Section 2 of the International Constitution shall be followed. The only exception is that the 15-day mail notice is not required; a 15-day posting will satisfy the advance notice requirement.

The duties of the Executive Officers are specifically set forth in Article 40 of the UAW Constitution. There is no purpose in repeating these duties in the Bylaws; but if the Local Union has a custom of assigning some additional duties not inconsistent with the duties set forth in the UAW Constitution in any particular executive office, that matter should be clearly set forth in this article.

8. Executive Board

This article should very clearly define what members—in addition to the Executive Officers and an elected member of the Retired Workers Chapter, if any—the membership desires to comprise the Executive Board of the Local Union. If the Local has Executive Board members in addition to the Executive Officers, this article should include a provision that these Board Members be elected in accordance with Article 38, Section 5 of the UAW Constitution which, in effect, because of legal requirements, makes the procedures of Article 38, Section 2, for Executive Officers applicable. Article 38, Section 5, stipulates that Executive Board Members-at-Large shall be elected by a plurality vote, unless the Local Union membership, by affirmative action, requires a majority vote.

There should be a provision setting forth the procedure and notice requirements for Special Executive Board Meetings. It is usually desirable that these meetings may be called either by the President, or by a majority of the Board Members.

There should be a section setting forth the general authority of the Executive Board in accordance with Section 6(b) of this publication. This provision should permit the Executive Board to direct payment of all ordinary bills and expenses of the Local Union but should restrict its authority in making disbursements of funds to a particular dollar amount in any single disbursement, and require the disbursement to be reported to the next membership meeting.

There should be a provision that provides the order of authority within the Local Union Executive Board that is the same as the ranking of Executive Board Officers in Article 38, Section 1, i.e., President, Vice President or Vice Presidents, Recording Secretary, Financial Secretary, Treasurer, three (3) Trustees, Sergeant-at-Arms, and Guide.

The following additional sections phrased in Bylaw language, are often found desirable:

(a) A simple majority of the Local Union Executive Board shall constitute a quorum.

(b) Minutes will be taken of all Executive Board meetings by the Recording Secretary and shall be read to the membership at meetings.

(c) All decisions and recommendations of the Executive Board shall be referred to the next regular membership meeting.

(d) The Executive Board shall appoint at least one of its members to each of the standing committees in a liaison or advisory capacity except, however, the Plant Bargaining Committee(s), Election Committee, or any Trial Committee.

(e) The Executive Board shall review the Local Union's communications programs and each issue of the Local Union's publications and, where necessary, shall take steps to bring their contents and policy into conformity with the policy of the International Union. (This inclusion is particularly desirable to conform to Article 29, Section 6 of the UAW Constitution.)

9. Stewards and Committeepersons

This article should contain necessary provisions establishing the nomination and election procedures of Stewards and Committeepersons, including the methods and places of balloting and the required notice procedures. However, it is still permissible to provide, as is the practice of many Local Unions, that Stewards and Committeepersons shall be nominated and elected at the same area or district meeting. It is impossible to make any specific suggestions on this topic because Local Unions have such differing customs, all equally constitutional, and the Steward and/or Committeeperson structure of each Local Union is determined primarily by collective bargaining agreement.

This article should provide that all members in good standing working under the jurisdiction to be represented by the Steward or Committeeperson shall be eligible to nominate and vote for the Steward or Committeeperson.

There should be a provision setting forth the procedure for recall of a Steward or Committeeperson in accordance with Article 45, Section 3, of the UAW Constitution, and this provision should set forth the following reasonable minimum requirements for the recall procedure:

*A vote on the question of recalling a Steward or Committeeperson may be initiated by a petition setting forth the reasons why the recall is sought, and signed by at least * percent of the current members working under the jurisdiction of the Steward or Committeeperson.*

** percent of the current members working under the jurisdiction of the Steward or Committeeperson must be present at the recall meeting to establish a quorum.*

A two-thirds vote of those present and voting is necessary to recall.

****NOTE: The petition and quorum requirements cannot be less than 25 percent or more than 50 percent and the petition and quorum requirements must be the same percent.***

There should be a provision providing that in the event of a vacancy in a Steward or Committeeperson position, one or more new Stewards or Committeepersons must be elected as soon as possible. The Bylaws should provide the procedure to accomplish a reduction of union representatives, if not provided for in the collective bargaining agreement.

10. Stewards' Councils and Bargaining Committees

Many Local Unions establish Stewards' Councils. Where they are established, they vary greatly in functions and duties.

Often their experience or their functions depend on the composition and functions of a Plant Bargaining Committee. The variety is so great in the whole area of Stewards' Councils and Bargaining Committees, and often is so substantially influenced by the collective bargaining agreement that no specific recommendations can be made on this point. However, any such body, or bodies, which are desired should be specifically established in the Bylaws, and the Bylaws should set forth their membership and functions. Any such body established by a Local's Bylaws will be carefully reviewed by the International Union and the Local will be specifically advised if there is any unconstitutionality or impropriety in the structure.

Where Stewards' Councils are established, the following provision should be included in this article:

The Stewards' Councils shall exclusively perform advisory functions and shall be a non-legislative body within the Local Union structure.

11. Committees

This article should set forth the standing committees of the Local Union exclusive of the Election, Trial and Bargaining Committees. These standing committees must include those required by Article 44 of the UAW Constitution and any other committees the membership may desire.

The method of appointing or electing committee members, and of filling committee vacancies, should be specifically set forth in a section of this article.

If the Local Union adopts a provision for the Executive Board to designate one of its members as a member of each committee as suggested in Chapter 8, Section (d) of this publication, this provision should refer to this Executive Board designee as an additional committee member.

There should be a provision stating how the committee chair is chosen, i.e., election by committee members or designated by appointing official.

The function or duties of standing committees may be specifically set forth in this article. In any event, the article should contain a provision similar to the following:

These committees shall perform all duties assigned to them by the UAW Constitution and Bylaws and such additional duties as they may be directed to perform from time to time by the Executive Board or the membership.

12. Elections and Election Committees

Under the UAW Constitution, there must be a democratically elected Election Committee to conduct all elections for Executive Officers and International Convention delegates. It is often desirable for the larger Local Unions to have a standing Election Committee which will conduct all elections which an Election Committee must constitutionally conduct, and often certain other elections during the period of the Election Committee's tenure, which under Article 38, Section 2, would be synonymous with the three-year term of the elected officers.

This article of the Bylaws should contain provisions setting forth when and how a Standing Election Committee will be elected. These provisions should ordinarily provide for the election of the Election Committee at a meeting shortly preceding or at the meeting at which Local Union Executive Officer nominations take place.

The Bylaws must provide a mechanism to pay Election Committee members. The lost time provision of your Bylaws will not cover retirees or members on alternate work schedules.

This article is also an appropriate place for the Local Union to establish the compensation method for Election Committee members. If the Election Committee members perform their duties strictly on normal lost time, the lost time provision of the Bylaws applies.

A pitfall of just relying on the existing lost time provisions occurs when the Election Committee member is scheduled to do election work for hours different than their normal work schedule, is on an alternate work schedule, or is a retiree. In these cases, normal lost time provisions may not apply.

Accordingly, it is recommended that the Local Union Bylaws address these issues by establishing a salary for active members working on the Election Committee. This provision must specify whether the overtime provisions of the collective bargaining agreement are applicable.

Further, the Bylaws should also establish a stipend for retirees who work on the Election Committee.

To address these issues, we recommend the Local Union incorporate the following or similar language:

Election Committee members will be paid a salary equal to their regular hourly rate of pay times actual hours worked on the committee. Retirees will be paid a stipend of _____ per day to work on the Election Committee.

If a Local, for particular reasons, desires to have special Election Committees elected to conduct each election, the Bylaws, as an alternative, should provide how and when such special Election Committees will be elected.

This article is also an appropriate place for the Local Union to establish its nomination procedure. Ordinarily, this will be the same for all elective offices with, of course, varying time limits. There are two permissible methods of nominating:

- a. Nomination by a member at a meeting with the nominee being under an obligation to accept within a specified number of days upon being notified, and the nominated member automatically being considered as declining if they fail to so accept within the time limits.

- b. Provision that all eligible members shall be automatically nominated for each office for which they are eligible if they accept the nomination in writing within a certain number of days of the notices of automatic nomination being posted.

Insofar as specific rules for the conduct of nominations and elections are concerned, they are set forth in great detail in the *Guide for Local Union Election Committees* which is available to each Local Union. That publication may be purchased through the UAW Purchasing Department. A Local Union may wish to take some of these suggestions as basic policy and establish them in their Bylaws. By and large, it is sufficient for the membership, Executive Board or Election Committee conducting the election to adopt the *Election Guide* with such permissible additions or changes as they may desire, as the rules governing the conduct of the election. (*Care should be taken to specify the desired alternative when the Election Guide mentions alternative methods to conduct an election-related matter.*) The choice is largely left to the discretion of the Local Union because any alternative, or in some instances a combination, is satisfactory.

13. Finances

Article 16, Section 1 of the UAW Constitution requires Local Unions to establish an initiation fee provision in their Bylaws which may not be less than \$10 nor more than \$50. Article 16, Section 22, requires a reinstatement fee not less than the initiation fee and not more than \$50.

The Bylaws shall set forth very specifically, and in considerable detail, the salaries, allowances, expenses and other forms of compensation, including who is paid a salary or expense; how much is paid; how often it is paid – weekly, monthly. Also, lost time formulas for elected or appointed officials must be detailed.³

This article should also include specific provisions for out-of-town per diem expenses when it is necessary for a representative of the Local Union to travel away from home, for example:

³ See attached UAW Administrative Letter, Volume No. 50, Letter No. 3, "All Forms of Compensation Paid by the Local Union Must Be Specified in the Local Union By-Laws."

When required to stay overnight:

- *Housing accommodations, single room occupancy rate, or ½ of a double room rate if shared with another member plus meals, not to exceed International Executive Board Policy per day with hotel receipt.*
- *Not to exceed International Executive Board Policy per day on day of return.*
- *When **not** required to stay overnight, the maximum shall not exceed International Executive Board Policy for meals.*

Transportation:

- *The actual cost of airfare **NOT** to exceed coach fare, or the IRS mileage rate, whichever is more economical.*
- *Not to exceed the maximum amount established by the International Executive Board.*
- *Expense for transportation is to be paid for the actual mode of transportation used. Mileage expense can only be paid to the driver of the automobile.*

The International Executive Board has established a maximum for per diem expenses. Contact your Regional Director for the current International Executive Board amounts.

This article should include a provision defining lost time along the following lines:

The Local Union shall pay a representative or member lost time only when that representative or member is performing necessary duties for and on behalf of the Local Union during a time for which they would otherwise be compensated by the employer. The amount of lost time should never exceed the amount which the Local Union representative or member would otherwise have received from their employer for the same period of time for which they are being compensated by the Local Union.

14. Eligibility for Elected Office

Eligibility for Executive Officer is set forth in the UAW Constitution and cannot be increased or decreased by the Local Union. The Local Union might, nonetheless, wish to repeat the eligibility requirement from Article 38, Section 3:

membership for one year in continuous good standing immediately prior to the nomination for Executive Officer.

The UAW Constitution's Article 38, Section 4 allows Local Unions to establish their own eligibility requirement for all other Local Union offices, committees and other positions. They may be uniform or vary among Executive Board Members-at-Large, Stewards, Committeepersons, etc., but in no case shall any eligibility requirement exceed the constitutional requirement for Executive Officer of one year's continuous good standing. If there are no eligibility requirements for Non-Executive Officers or officials in the Bylaws, it would be presumed that the only requirement is to be a member in continuous good standing.

15. Attendance Rules⁴

Article 37, Section 5, directs the Local Union to establish attendance rules for all those holding an elected Local Union position. These rules fall into two parts. One part concerns attendance by elected officers or officials at membership meetings and the other concerns their attendance at meetings where attendance is part of their official duties, such as an Executive Board member attending Executive Board meetings.

In general, the Local Union may establish for all elected Local Union officers and officials, attendance requirements requiring their attendance at as many as two out of three general membership meetings. It should be emphasized that no attendance requirement can be made a condition of eligibility to run for the office but only a condition of continued eligibility to occupy and hold the office, once elected.

The Bylaws may establish specific attendance requirements for different elected officers and officials attending various board and committee meetings, which are part of their functions. If this is desired, each group of officers may be treated separately in the Bylaws. If it chooses, the Local Union may establish a general requirement for all elected officers and officials attending any board or committee meeting which is part of their duties. In either event, the requirement should not exceed attendance at more than two out of every three such meetings.

In this provision of the Bylaws, an excuse procedure must also be established. The requirements for attendance at meetings must include a procedure that provides that a member may be excused from attendance at a meeting for good cause and any such excused absence cannot be counted against them.

The Local Union Bylaws should specify what group will be authorized to consider requests for excuses and should set up some general standards for granting

⁴ Attendance provisions are mandatory under Article 37, Section 5, of the UAW Constitution.

such requests as an absence because of circumstances beyond a member's control or because of a very substantial inconvenience. Some Local Unions have a standing excuse or attendance committee while others place this function with the Executive Board. It is an optional matter and the membership should decide which form is best. However, a provision giving the authority to excuse to some entity is required.

Examples of provisions which Local Unions should have are:

- a. *All members of this Local Union holding an elective position are required to attend:*
 1. *Two out of three consecutive membership meetings unless officially excused for cause by the Local Union Excuse Committee;*
 2. *Two out of three consecutive meetings, other than membership meetings, expected of their respective office or position, unless officially excused for cause by the Local Union Excuse Committee;*
 3. *Failure of any elected official to comply with the above attendance rules shall result in automatic removal from their respective office or position, and they shall not be permitted to run for any elective office for the balance of the term of office from which they were removed, except as a delegate to the UAW Constitutional Convention.*

To enforce the removal provisions of these bylaws, the attendance rules must be uniformly applied to all elected officials.

NOTE: The Local Union Excuse Committee may be the membership meeting, the Local Union Executive Board, a subcommittee from the Local Union Executive Board, or a separate Excuse Committee composed of members not holding executive offices or committee positions. In very large Local Unions, it is suggested that the Excuse Committee be composed of members other than those holding an elective position.

Administrative Letter No. 7, Volume 32, dated December 17, 1980, sets forth the International Union's policy and recommendations in this area. It is attached.

16. Delegates from Local

This section should provide that all delegates to International Conventions shall be chosen pursuant to the provisions of Article 8 of the UAW Constitution. The Bylaws might also state that the eligibility for Convention Delegate is also controlled by the UAW Constitution.

The Bylaws should contain whatever provisions are appropriate for electing or selecting delegates to Community Action Program (CAP) state, county, or city councils.

17. Order of Business

Article 42 of the UAW Constitution provides a suggested order of business for Local Union meetings. Some Local Unions find it advisable to add to or vary slightly from this order of business. Whatever the situation may be in your Local Union, the order of business either as set forth in Article 42, or a variation thereof, should be included in the Local Union's Bylaws.

This is particularly important in view of certain provisions of labor law that support the Local's right to control unlimited or out-of-control debate, and discussion by the membership is dependent upon its established rules. In some circumstances, the only established rules which would permit a Local Union to control general confusion at a meeting would be the established order of business.

18. Appeals

Article 33 of the UAW Constitution provides that a member who feels aggrieved by any action, inaction or decision of the Local Union or one of its representatives must initiate their complaint or appeal within 60 days of the time they became aware, or reasonably should have become aware, of the action, inaction or decision.

NOTE: Where an amalgamated Local Union is involved, appeals must first be made to the Unit of the amalgamated Local Union and then to the Local Union. The time limit for appeal from the Unit decision to the Local Union is thirty (30) days.

The UAW Constitution requires the appeal to be initially brought to the Local Union within such 60-day period. Local Unions are encouraged to establish an internal appeal procedure in their Bylaws which sets definite time limits in which a member dissatisfied with a decision of a Local Union, such as a Bargaining

Committee, or Executive Board decision, will have to take their appeal to the membership, unless otherwise provided for in the UAW Constitution.

An example of this would be a provision providing as follows:

Any person dissatisfied with the action, inaction or decision of the Local Union or any representative thereof, other than an action or decision of the membership of the Local Union, shall take their appeal or complaint to the Local Union Recording Secretary within 60 days as permitted by Article 33 of the UAW Constitution.

Such introductory section could, as an example, be followed by the following provisions:

- a. The Executive Board shall refer the matter to the Bargaining Committee (or Stewards' Council) if it involves collective bargaining. Otherwise, the Executive Board shall consider the matter itself.*
- b. Whichever of these bodies the matter is referred to shall consult with the grievant and permit them full opportunity to be heard prior to making a decision.*
- c. Within 30 days of receiving notice of such decision, the grievant may appeal further by submitting their appeal to the Recording Secretary in writing for consideration by the membership at the next membership meeting.*

The foregoing is an example of the type of procedure that should be established in the Bylaws. A Local Union may elect to have a collective bargaining grievance which has been reviewed by a Bargaining Committee or Stewards' Council to be further reviewed by the Executive Board prior to being submitted to the membership. There are other variations a Local Union may choose, depending on the different intermediate bodies in the Local Union structure.

These appeal provisions are very important and if properly drafted to conform with the Local Union structure can save the Local Union a good deal of time, trouble and expense when processing appeals. The Local Union Constitution and Bylaws Committee should consult with the Regional Director or their designated representative when working out the details of such a procedure.

19. Strikes and Strike Committees

The Bylaws should provide that all strikes shall be called or terminated only in strict conformance with Article 50 of the UAW Constitution.

20. Leases and Long Term Agreements

As a result of problems that many Local Unions can incur with leases and other long term agreements, the UAW Legal Department advises that the Bylaws must include the following provision:

No agent or official of the Local Union is authorized to execute a real estate lease, deed, service or maintenance contract or other long-term agreement unless the proposed agreement has been reviewed by an outside expert or attorney and approved by the Local Union Executive Board.

21. General

The General article is intended to cover various matters which are of particular concern to the Local Union but which are not specifically covered elsewhere in the Bylaws. It is generally advisable to minimize the number of items contained in the General article because a member attempting to find a provision normally tends to look under appropriate headings rather than under a General heading.

The following two provisions often appear in the General article:

- a. *All Local Union Officers, Committees, Stewards and other members handling funds or other property of the Union shall, at the completion of their duties, turn over all papers, documents, funds and/or Union property to the properly constituted Local Union officers.*
- b. *Wherever in these Bylaws a pronoun is used it refers equally, where the reference is applicable, to both men and women in the singular and in the plural.*

22. Amendments

All Bylaws should contain an Amendment provision along the following lines:

These Bylaws may be amended by presenting a motion in writing setting forth the amendments sought to a membership meeting. The motion shall be read to that meeting and referred to the Constitution and Bylaws Committee which will report to the succeeding membership meeting, the notice of which must contain a notice of the particular Bylaw amendments that will be considered. If approved by two-thirds of the membership vote

thereon at this succeeding meeting, the amendment shall be considered adopted by the membership.

Conclusion

We hope you have found this publication useful and clear. Attached are additional resources to help you navigate the Bylaws approval process and UAW Administrative Letters referenced herein.

At A Glance Reference

How to Submit Local Union Bylaws

Bylaws submitted to the International Union for review and approval should be typed or printed on 8 ½ x 11 sized paper.

To resubmit your Bylaws with changes, revisions or amendments, please take the following steps.

Step 1

Take each page of the Bylaws that need to be changed and mark the sections you want to change.

Step 2

Retype the entire page, with the change(s) typed in.

Step 3

Underline the changes on the new page in red. *(If you deleted a portion of the old Bylaw without substituting anything new for it so that there is nothing to underline, make a note in red that the section was deleted.)*

Step 4

Insert the new page, with changes, into the Bylaws and discard the old page.

Step 5

Send one complete set of the revised Bylaws along with a letter indicating the date the Local Union membership approved the Bylaw change(s). Send your submission to:

International Union Bylaws Department
8000 East Jefferson Avenue
Detroit, Michigan 48214

Step 6

The International Union will send a report to your Local Union after the Bylaws have been processed.

CHANGES MADE TO YOUR BYLAWS ARE NOT IN EFFECT UNLESS THEY HAVE BEEN SUBMITTED IN ACCORDANCE WITH THE PROCEDURE OUTLINED ABOVE.

Some Regions have designed a procedure where the Local Union sends the Bylaws to the Region and the Region forwards same to the International Union Bylaws Department. Check with your Regional Office for your Region's procedure.



UAW ADMINISTRATIVE LETTER

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Letter No. 3

IN THIS ISSUE:
**ALL FORMS OF COMPENSATION
PAID BY THE LOCAL UNION
MUST BE SPECIFIED IN THE
LOCAL UNION BYLAWS.**

**TO ALL TOP 4 LOCAL UNION
OFFICERS & CHAIRPERSON OF
BYLAWS COMMITTEE:**

Greetings:

The International Executive Board has long required local unions to specify in their bylaws all salary, lost time, expenses and/or benefits paid to any member. To be sure, most local unions have done all that was necessary to comply with this policy.

We recognize that most of the local unions do not have full-time officers or representatives.

However, the UAW has negotiated changes in methods of payment of wages and benefits. Some of these could affect local union officers, or other members, compensated by the local union. So, it is necessary to update our prior statement of UAW policy. For this reason, we issue this clarification.

UPON RECEIPT OF THIS LETTER THE LOCAL UNION CAN ONLY PAY MEMBERS THAT WHICH IS SPECIFICALLY LISTED IN THE LOCAL UNION BYLAWS.

The local union bylaws must address the following:

Lost Time: If a member loses vacation, profit-sharing, or any other benefits while on lost time, the local union must specifically provide in the bylaws that the member will be reimbursed by the local union. With regard to profit-sharing, the formula, including eligible earnings, hours and rates of pay, including pay in lieu of vacation or holiday, must be included.

Salary: If the local union pays member(s) a salary, the local union bylaws must specify the amount; raises, if any; vacation entitlement, if any; specifying rate of pay and time off; sick leave, if any; and holidays. The bylaws must specify the circumstances under which it may be permissible for the member to earn money above the salary from the employer. If the local union pays for profit-sharing, bonuses, pension or severance, and/or medical coverage, the formulas must be specified.

When in Doubt About International Policy. . .Contact Your Regional Director

Full-time or part-time: The bylaws must designate which positions are full-time or part-time. Full-time officers or representatives by definition, are those who receive their **entire** compensation from the local union. Part-time officers or representatives receive some compensation from the employer and some from the local union.

Any monies paid by the employer must offset monies to be paid by the local union, e.g., wages, profit-sharing, bonuses and/or vacation pay. There is to be no pyramiding or double-dipping.

NOTE: If the compensation 'package' is not articulated in the bylaws, then payments may not exceed basic lost time.

Compensation given to local union officials must be detailed in the bylaws. The words "other", or "etc." are not acceptable as definitions. If it is not in the bylaws, then it is not a proper expenditure of local union funds.

Expense: If the local union provides a daily, weekly, or monthly expense, gas or phone cards, cell phones and/or pagers, these items must be spelled out.

Travel and/or per diem expense: The International Executive Board's policy on travel and per diem expenses is enclosed for your guidance and compliance.

REMEMBER: If the local union bylaws do not list it, the local union should not pay for it. If the local union wishes to add to or clarify the bylaws, the changes must be approved by the International Union following membership approval.

In solidarity,

Stephen P. Yokich
President



UAW ADMINISTRATIVE LETTER

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IN THIS ISSUE:

**INTERPRETATIONS OF
THE INTERNATIONAL
CONSTITUTION —**

Article 37, Section 6

Article 45, Section 3

To All Local Unions:

GREETINGS:

The International Executive Board at its regular meeting held in Detroit, Michigan on December 15 through December 17, 1980, adopted the following interpretations of the International Constitution:

**Article 37, Section 6
APPOINTED REPRESENTATIVES - LOCAL UNION BYLAWS**

Local Unions must have requirements in their Local Union Bylaws providing that any member holding any Local Union elected position must attend two (2) of three (3) membership meetings and two (2) of three (3) meetings involving their office or position or be automatically removed from the position to which they were elected.

A number of collective bargaining agreements contain provisions whereby the Department Director, Regional Director or Local Union may appoint Benefit Plans Committee Members, Apprentice Committee Members, Health and Safety Representatives, Alcohol and Drug Abuse Representatives, etc. The question has arisen as to whether or not such Union appointees are also governed by the attendance requirements contained in the Local Union Bylaws.

Where such Bylaw provisions are uniformly applied, contain mechanisms for reasonable excuse and were approved by the International Union, then they apply with equal force to such appointed representatives upon submission of the facts to the Department Director or Regional Director, as the case may be, for necessary action by his or her office.

**Article 45, Section 3
SHOP STEWARDS AND SHOP COMMITTEEPERSONS**

Once a petition to recall a Shop Steward or Committee Member is initiated, it must be completed and deposited with the Local Union President and/or Recording Secretary within forty-five (45) days of such date.

If the petition is invalid or the meeting called for the purpose of recall decides not to recall the Steward or Committee Member, then no further petition citing the same specific complaint may be deemed valid until one (1) year has elapsed from the date of such action or decision, unless the one (1) year time limit is waived by the International Union President due to unusual and compelling circumstances.

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If multiple or frivolous petitions are filed involving the same Steward or Committee Member, the Local Union Executive Board may declare the petition invalid and may appeal the matter directly to the Office of the International President for a ruling as to validity.

The 1980 Constitution with interpretations is being processed and each Local Union will be mailed a copy for the Local Union's use in accordance with past policy. The above interpretations will be included.

Best wishes for the New Year:

Fraternally,



Douglas A. Fraser, President
INTERNATIONAL UNION, UAW

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opeiu494

**INTERNATIONAL EXECUTIVE BOARD POLICY
CONCERNING PER DIEM**

**OVERNIGHT STAY, TRANSPORTATION &
LOST TIME**

WHEN REQUIRED TO STAY OVERNIGHT:

Hotel/Motel - single room occupancy rate, or 1/2 of a double room rate if shared with another member - plus \$___* for meals.

- * Not to exceed **\$46.00** per day with hotel receipt.
Not to exceed **\$20.00** per day on day of return.
- * When not required to stay overnight, a maximum of **\$20.00** for meals if 100 miles from Local Union.

TRANSPORTATION:

The actual cost of air fare **NOT** to exceed coach fare, or ___* cents per mile, whichever is more economical.

- * Not to exceed the IRS approved rate.

Expense for transportation is to be paid for the actual mode of transportation used. Mileage expense can only be paid to the driver of the automobile.

LOST TIME:

An article defining lost time should include the following:

The local union shall pay a representative or member lost time only when that representative or member is performing necessary duties for and on behalf of the local union during a time for which she/he would otherwise be compensated by the employer. The amount of lost time should never exceed the amount which the local union representative or member would otherwise have received from his/her employer for the same period of time for which she/he is being compensated by the local union.



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