

CONSTITUTION AND BY-LAWS

**of the United Union of Roofers,
Waterproofers and Allied Workers**



**Affiliated with AFL-CIO and
Building and Construction Trades Department**

**Amended and adopted at the 28th Convention held
October 14-18, 2013 – Las Vegas, Nevada**

Constitution and By-Laws
of the
United Union of Roofers, Waterproofers and
Allied Workers

Affiliated with the
AFL-CIO and Building and
Construction Trades Department

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10th International Vice President

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President Emeritus

Marvin Gittler and Librado Areola
General Counsels
Asher, Gittler & D'Alba, Ltd.

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PREAMBLE

To create and maintain a more harmonious and amicable relation one with another and for the mutual benefit of all concerned; to increase, nourish and sustain the prestige and dignity of all affiliated Locals, at the same time guaranteeing to and retaining by, each its own local and individual autonomy; to broaden the scope of usefulness and extend the field of employment of each and every individual member; to protect and improve the economic conditions and quality of life of our membership and all working people, their families and their communities; to confederate as far as practicable our somewhat rather spasmodical individual efforts into one continuous collective undertaking for the upbuilding and improvement of this International Union, the following Constitution and By-Laws are formulated, adopted and promulgated to read;

CONSTITUTION

ARTICLE I

Name and Object

Section 1. This organization shall be known as United Union of Roofers, Waterproofers and Allied Workers and is hereinafter referred to as the International Union.

Section 2. The seal of the International Union shall be of metal and capable of impressing its contents on paper.

Section 3. The International Union shall operate to unite and to associate together all practical workers in order to achieve the purposes set forth in the preamble.

Section 4. Wherever the male gender is used in this Constitution and By-Laws, it shall be deemed to apply to the female gender.

ARTICLE II

Jurisdiction

Section 1. The International Union shall be composed of and have jurisdiction over all Local Unions, and their membership composed of skilled roofers and damp and waterproof workers, including apprentices, allied workers, other classifications of workers and any person performing the duties of all safety monitoring of work performed within the jurisdiction of this Article. The work jurisdiction of this International Union shall be all roofing, damp and waterproofing systems, air barrier systems or products whenever the primary function of such systems or products is to prevent the intrusion or migration of moisture. These systems or products shall include but not be limited to all those outlined in this Article.

Section 2. Steep roofers shall include in their work jurisdiction the following work processes and types of materials including but not limited to:

All slate where used for roofing of any size, shape or color, including flat or promenade slate, with necessary metal flashing to make water-tight.

All tile where used for roofing of any size, shape or color, and in any manner laid including flat or promenade tile, with necessary metal flashing to make water-tight.

All asbestos shingles where used for roofing of any size, shape or color, and in any manner, laid with necessary metal flashing to make water-tight.

All cementing in, on or around the said slate or tile roof.

All laying of felt, paper, membranes, ice and water shields, vapor barriers or similar underlayments on sloped roof structures.

All forms of composite insulations having nailable surfaces or any other means of attachment (e.g. plywood, pressboard, chipboard, drywall or other laminates) bonded to the insulation wherever such composite insulations are used as an integral thermal insulating component of the roofing system.

All dressing, punching and cutting of all roof slate or tile.

All operation of slate cutting or punching machinery.

All substitute material taking the place of slate or tile, such as asbestos slate or tile, cement or composition or Spanish tile, composition, vinyl and wood shingles, or shakes, metal shingles and tile, or other substitute materials used on steep roofs.

All removal of slate or tile roofing as defined above when a roof is to be reapplied in their place.

All solar or photovoltaic cell-type shingles used to transform solar energy to electrical energy.

All removal of roofing including but not limited to the materials defined above when a roof is to be replaced.

Section 3. Composition roofers and waterproofers shall include in their work jurisdiction the following work processes and types of materials including but not limited to:

All organic or inorganic felts and fabrics that comprise the reinforcing membrane of built-up roofing and waterproofing systems.

All waterproofing using bituminous products whether structures are above or below grade.

All forms of plastic, slate, slag, gravel, or rock roofing, including all types of aggregates, blocks, bricks, stones, pavers, soils or any type of overburden used to ballast or protect built-up roofing systems or pro-

tect Inverted Roof Membrane Assembly (IRMA) roofs or roofs of similar construction where the insulation is laid over the roof membrane.

All kinds of asphalt and composition roofing and waterproofing.

All base flashings, curb flashings, and counterflashings of bituminous composition used to roof or waterproof intersections of horizontal surfaces.

All components of composition roofing systems used to seal the roof, including but not limited to compression seals, termination bars, nailers, blocking, ballast of all types, walkways, reinforcements, preformed panels, protection boards, plaza pavers, expansion joints, pitch pans, drain flashings, scupper flashings, lath, roof cement and reinforcements, caulking and sealants.

All kinds of coal tar pitch and coal tar bitumen roofing and waterproofing.

All cleaning, preparing, priming and sealing of roof decks and surfaces that receive roofing, dampproofing and/or waterproofing.

All rock asphalt and composition roofing.

All epoxy materials used for roofing and waterproofing.

All rock asphalt mastic when used for damp and waterproofing.

All prepared paper roofing.

All laying of felt, paper, membrane, ice and water shields, vapor barriers or similar underlayments.

All mineral surfaced roofing, including 90lb., and SIS, SBS, APP and all types of modified bitumen whether nailed, mopped with bitumen, or applied with mastic, adhesive or applied with torch, heat gun or hot air welder.

All compressed paper, chemically prepared paper, and burlap when used for roofing, or damp and waterproofing purposes, with or without coating.

All materials and substrates used on the roof deck for fireproofing or any materials used as a support, nailing surface or any means of attachment for the roofing system over the deck.

All damp resisting preparations when applied with a mop, brush, roller, swab, trowel, or spray system inside or outside of any structure.

All damp course, sheeting or coating on all foundation work.

All tarred floors.

All wood block floors that are set in and/or coated with bituminous products.

All waterproofing of shower pans and/or stalls.

All laying of tile, wood block or brick, when laid in pitch, tar, asphalt mastic, marmolite, or any form of bituminous products.

All lining and/or waterproofing of reservoirs, holding ponds, waste treatment structures, landfills, fountains, planter boxes, tunnels, plaza areas and similar structures regardless of the material being used.

All forms of insulation used as a part of or in connection with roofing, waterproofing or dampproofing, including but not limited to thermal and/or acoustical purposes.

All forms of composite insulations having nailable surfaces or any other means of attachment (e.g. plywood, pressboard, chipboard, drywall, or other laminates) bonded to the insulation wherever such composite insulations are used as an integral thermal insulating component of the roofing system.

All forms of protection boards, walkway pads and roof treads, fleece and drainage mats and systems used in composition roofing or waterproofing to protect the membrane from damage.

All types of coatings, toppings and finishes used on roofing, damp-proofing, waterproofing and air barrier systems.

All components of vegetative systems, including but not limited to membranes, insulations, drainage systems, filters, fleece, vegetation blankets, plantings and soils, and all types of overburden.

All solar or photovoltaic cell-type structures that are used as substitutes for ballast or membrane protection.

All components of these solar or photovoltaic cell-type structures that are an integral function of these systems.

All solar or photovoltaic cell-type integrated roof membranes used to transform solar energy to electrical energy.

Section 4. Composition roofers and waterproofers shall also include in their work jurisdiction the following work processes and types of materials including but not limited to:

(1) All forms of elastomeric, elasto-plastic and thermo-plastic roofing systems, both sheet and liquid applied, whether single-ply or multi-ply. These shall include but not be limited to:

- a) PVC (Polyvinyl chloride systems)
- b) Butyl Rubber
- c) EPDM (ethylene propylene diene monomer)
- d) PIB (polyisobutylene)
- e) CPE (chlorinated polyethylene)
- f) CSPE (chlorosulfonated polyethylene)
- g) Modified bitumens
- h) Neoprene
- i) NBP (Nitrile Alloy)
- j) EIP (Ethylene Interpolymers)
- k) TPO (Thermoplastic Polyolefins)
- l) ETFE (Ethylene Tetra Fluoro Ethylene)

(2) All base flashings, curb flashings and counterflashings of elastomeric, elasto-plastic or thermo-plastic composition as outlined in Section 4(1) used to roof or waterproof intersections of horizontal surfaces.

All components of elastomeric, elasto-plastic and thermo-plastic roofing systems used to seal the roof, including but not limited to, nailers, blocking, ballast of all types of walkways, reinforcements, preformed panels, protection boards, plaza pavers, expansion joints, pitch pans, scupper flashings, drain flashings, compression seals, termination bars, caulking, and sealants.

(3) All insulations applied with the above systems, whether laid dry, mechanically fastened, or attached with adhesives.

(4) All forms of composite insulations having nailable surfaces or any other means of attachment (e.g. plywood, pressboard, chipboard, drywall, or other laminates) bonded to the insulation wherever such composite insulations are used as an integral thermal insulating component of the roofing system.

(5) All types of aggregates, blocks, bricks, stones, pavers, soils, overburdens, vegetation or units of photovoltaic cell construction used to ballast or protect these elastomeric, elasto-plastic and thermo-plastic systems.

(6) All solar or photovoltaic cell-type integrated roof membranes used to transform solar energy to electrical energy.

(7) All types of aggregates, blocks, bricks, stones, pavers, soils, overburdens, vegetation or units of photovoltaic cell construction used to ballast or protect Inverted Roof Membrane Assembly (IRMA) roofs or roofs of similar construction where the insulation is laid over the roof membrane.

(8) All sealing and caulking of seams and joints on these elastomeric, elasto-plastic and thermo-plastic systems to ensure that these systems are watertight.

(9) All liquid-type elasto-plastic and elastomeric preparations for roofing, damp or waterproofing when applied with a squeegee, trowel, roller or spray equipment, whether applied inside or outside of a building.

(10) All sheet-type elasto-plastic, elastomeric and thermo-plastic systems, whether single or multi-ply for waterproofing, dampproofing and air barrier systems either inside or outside of any structure.

(11) All cleaning, preparing, priming and sealing of surfaces to be roofed, dampproofed or waterproofed, whether done by roller, mop, swab, three-knot brush, squeegee, spray systems or any other means of application.

(12) All types of pre-formed panels used in waterproofing (Volclay, etc.).

(13) All applications of protection boards to prevent damage to the dampproofing or waterproofing membrane by other crafts or during backfilling operations.

(14) All handling of roofing, damp and waterproofing materials.

(15) All hoisting, lifting and storing of all roofing, damp and waterproofing materials.

(16) All types of spray-in-place foams such as urethane, polyurethane, or polyisocyanurate, the machinery and equipment used to apply them, and the coatings that are applied over them.

(17) All types of resaturants, coatings, mastics and toppings when used for roof maintenance and repairs.

(18) All wrapping and/or coating of underground piping with bitumastic enamel or cold process, polykin tape, tapecoat, or other as-

phaltic coatings or tapes and the preparation of surface by sand blasting or wire brushing.

(19) All operation of jeeper or holiday detectors.

(20) All materials laminated to roofing and/or insulation systems.

(21) All materials and substrates used on the roof deck for fire-proofing or any materials used as a support or means of attachment for the roofing systems.

(22) All air barriers that are applied with materials that are traditionally used on roofing, waterproofing and dampproofing systems, including but not limited to sprays, epoxies, membranes and bituminous products.

(23) All components of water recapturing systems that are an integral part of roofing, dampproofing and waterproofing systems that protect against water and moisture mitigation or intrusion.

(24) All water and flood testing of roofing, damp and waterproofing systems.

Section 5. All tear-off and/or removal of any type of roofing including ballast and all overburdens, all spudding, sweeping, vacuuming and/or cleanup of any and all areas of any type where a roof is to be relaid, or any cleanup of any materials on any construction site and operation of equipment such as kettles, pumps, tankers, or any heating devices that are used on roofing or waterproofing systems coming under the scope of jurisdiction as outlined in Article II.

Section 6. All substitutions, improvements, changes, modifications and/or alternatives to the jurisdiction or materials set out in this or any other Article.

Section 7. All other materials, equipment and/or applications necessary or appropriate to complete, perform or apply the processes and/or materials in this Article.

ARTICLE III

Membership

Section 1. Any person of good moral character employed in the crafts or various employment over which this International Union has

jurisdiction shall be eligible to membership, subject however, to the following provisions:

a. He shall not be a member of, or in any manner affiliated with, any subversive organization, nor shall he become, while a member of this International Union, a member of, or in any manner affiliated with any such subversive organization.

b. Any member who is or becomes an employer or supervisor shall not be eligible to nominate, be nominated or vote in any election of officers or delegates, or on any collective bargaining agreement.

c. He shall have agreed to comply with and be bound by the terms and provisions of this Constitution and the By-Laws promulgated hereunder and of the Constitution and By-Laws of the Local Union to which he shall be affiliated.

d. Nothing contained in this Article shall be construed to limit the right of a Local Union to require an applicant to pass an established uniform examination covering his mechanical ability and competence to perform the work of the crafts.

e. Members shall be responsible for the payment of and compliance with all obligations owed to the Union.

Members may resign membership by written notice to the Local Union Secretary. Such resignation shall be effective upon its receipt by the Local Union Secretary or as mandated by law. Resignation shall not excuse or relieve responsibility for violations occurring before its effective date. Thereafter, the Local Union Secretary shall forward a copy of such resignation to the International Secretary-Treasurer.

ARTICLE IV

Eligibility

To be eligible for election to the position of an officer of this International Union, a candidate must be a member in continuous good standing in this International Union and paying full dues and per capita tax for a period of five years prior to his nomination for said office. He shall also be a citizen of the country in which the Local

Union he represents is situated. To be a member in good standing, all dues and other outstanding obligations of such member must be paid on or before the last day of the third month after the due date; and such member shall not have been suspended or removed by action of any tribunal for misconduct or violation under the Constitution and these By-Laws or the Constitution and By-Laws of the Local Union of which he is a member.

ARTICLE V

Convention, Representation and Franchise

Section 1. This International Union shall hold a convention every five years, to be called to order and opened for the transaction of business in the month of October and shall continue until the completion of all business assigned to that convention. The precise time and date on which the convention shall be called to order shall be fixed by the International Executive Board not later than thirty-six (36) months preceding the month in which the convention is to meet; provided, however, that if at any time following such determination the International Executive Board finds that it is impractical to hold the International convention at the designated site or on the designated date, it shall be authorized to designate either a different site or a different date or both. If a different date is selected, it shall be a date which is within sixty (60) days prior to the original date fixed by the International Executive Board and all Convention or pre-Convention obligations shall be adjusted accordingly. The delegates in attendance at the preceding convention may, at any time prior to the adjournment of that convention, suggest possible sites for holding the next convention.

Section 2. Each Local Union shall be entitled to one delegate for fifty (50) members or less; two delegates for one hundred (100) members and one additional delegate for each additional one hundred (100) members or majority fraction thereof.

Section 3. The International Secretary-Treasurer shall average the membership of each Local Union for the first quarter of the conven-

tion year and during the first week of the month of May preceding the convention shall notify each Local Union of the number of delegates to which such Local Union shall be entitled and simultaneously therewith mail the proper number of credentials for the coming convention.

Section 4. Each Local Union shall elect by secret ballot its delegates to the convention, except that a Local Union elected officer charged with the duties of administering the affairs of the Local Union, shall automatically be a delegate in accordance with applicable law. This shall not prevent a Local Union from providing in its Constitution and By-Laws that more than one officer may be a delegate by virtue of his having been elected to the Local Union office. The total number of delegates including the Business Representative, shall not exceed the number of delegates fixed by the preceding section hereof. The Local Union may elect such number of alternates as it may desire. Each Local Union may elect its delegates at any reasonable time including after it has been notified by the International Secretary-Treasurer of the number of delegates to which it is entitled but such election shall not be later than sixty (60) days prior to the date set for the convention. Notwithstanding anything contained in this Article, a Local Union shall not be entitled to have its delegates accredited to the convention nor shall its delegates be accredited or permitted to exercise the rights of a delegate, unless all financial obligations due to the International Union from the Local Union shall have been paid in full for the period through the month of August of the year in which the convention is held.

A member shall not be eligible to be a delegate unless he has been a member in continuous good standing of the Local Union he represents and paying full dues and per capita tax for a minimum of two (2) years prior to the election, except where the Local Union has not been in existence for two (2) years.

Section 5. The International Union shall maintain a Convention Expense Fund out of which it shall pay to each delegate who is entitled to be seated and who attends the sessions of the Convention, effective October 2008, an amount equal to two times the number of miles from the convention site to the delegate's Local Union, as

shown by Rand McNally Company maps, multiplied by ten cents (\$.10) plus nine hundred and fifty dollars (\$950.00) and such other amount as may be determined reasonable and proper by the International Union Executive Board. Each Local Union shall pay all other additional expenses of its delegates and alternates to the convention; provided, however, that prior to election of delegates, it shall establish the amount which it will allow a delegate or alternate for such additional expenses and wages. Any delegate who is not registered at the Roofers convention site, can and would be denied their travel expenses.

Section 6. Each Local Union shall, immediately after election of delegates, forward their names to the International Secretary-Treasurer. Each delegate shall present his credentials, properly signed by the president and secretary and with the seal of the Local Union impressed thereon to the Committee on Credentials. Such delegate shall also present his membership card and official dues receipt establishing that he is a member in good standing.

Section 7. All duplicate credentials must be in the International Office thirty (30) days prior to the opening of the convention.

Section 8. The International President, the International Secretary-Treasurer and the International Vice Presidents shall automatically be delegates of their respective home Local Unions to regular and special International conventions, provided, however, that such officer shall not vote in the election of International officers unless the officer has been duly elected as a delegate from his Local Union, as provided in Section 4 of this Article. The expenses of the above officers shall be paid by the International Union. The respective Local Unions shall be entitled to their full quota of delegates in addition to the foregoing delegates.

The International Representatives, if not elected as delegates from their respective Local Unions, shall nevertheless be entitled to attend regular and special International conventions as delegates-at-large, provided, however, that a delegate-at-large shall not have the right to vote on any matter coming before the convention. The expenses of a delegate-at-large shall be paid by the International Union.

Section 9. A quorum shall consist of a majority of the delegates seated to the convention. The order of business shall be as determined by the Committee on Rules; provided, however, that until such rules have been adopted, the rules of the previous convention shall govern the order of business and the conduct of the convention.

Section 10. Only delegates elected by secret ballot shall have the right to vote on matters coming before the convention, and each delegate, or in his absence his alternate, shall be entitled to one vote. An alternate shall be accredited only in the event his delegate is unseated.

Section 11. All matters coming before the convention must receive a majority of the votes cast, unless otherwise specified. All acts of the convention receiving such a vote shall become operative on the first day of the month next following 90 days after the convention closes, unless otherwise specified.

Section 12. All resolutions submitted by August 1 of the year the convention is to be held shall be sent by the International Union to all local unions, including those by the International Executive Board. Such resolutions are to be sent by the International on or before September 1 of the year in which the convention is to be held. All other resolutions shall be mailed or delivered to the convention headquarters so that they will be received before 10:00 a.m. on the Thursday immediately preceding the Monday on which the convention is called to order. Any Local Union so desiring may print and distribute copies of resolutions submitted by it to all Local Unions. This shall not deprive delegates to the convention of their right, if approved by the unanimous vote of the delegates present, to propose resolutions during any of the sessions of the convention. All resolutions when introduced shall bear the written signatures of the sponsors of such resolutions. In the event a resolution is submitted by a Local Union, such resolution shall be submitted in the name of the Local Union, and executed by its proper officers.

Section 13. The International President shall, on or before the Thursday preceding each convention, appoint from the International Executive Board a committee of five (5) to act as a Committee on Credentials. The International President and International Secretary-

Treasurer shall also be members ex-officio of said Committee. It shall meet at convention headquarters prior to the opening of the convention and to it shall be referred all credentials. This Committee shall make partial reports to the Convention until its work is completed.

Section 14. The International President shall, preceding each convention, appoint from the International Executive Board a committee to act as a Committee on Rules. The International President and International Secretary-Treasurer shall also be members ex-officio of said Committee. It shall meet at convention headquarters prior to the opening of the convention and it shall prepare rules for the conduct of the convention, which rules shall be presented to the opening session of the convention and shall, except as herein otherwise provided for, govern the procedures of said convention.

Section 15. A transcript shall be made of all convention sessions.

Section 16. Any vote on the per capita tax payable to the International Union shall be by secret ballot.

ARTICLE VI

International Officers and Their Election

Section 1. The officers of this International Union shall be an International President, ten (10) International Vice Presidents and an International Secretary-Treasurer. They shall serve until their respective successors shall have been installed. The officers shall constitute the International Executive Board.

Section 2. All International Officers shall be elected in the following order and manner: International President, First International Vice President and each International Vice President in his title and number, which shall be his designation thereafter, and International Secretary-Treasurer. Nominations for each office in its turn shall be made in open convention, and elections shall be by secret ballot when there is more than one candidate. It shall require a majority of all votes cast to constitute an election, and balloting shall continue until one candidate has secured such a majority; after every unsuccessful ballot, the candidate receiving the lowest number of votes

shall be dropped. Upon completion of all elections, all officers-elect shall be given the oath of office and they shall thereupon assume their respective offices.

Section 3. In the event that the office of either International President or International Secretary-Treasurer shall become vacant, the incumbent of the other office shall call, by registered mail, a session of the International Executive Board, which shall by ballot elect a successor for the vacant office. In the event that the office of both International President and International Secretary-Treasurer shall become vacant, the highest ranking International Vice President shall call, by registered mail, a session of the International Executive Board which shall by ballot elect a successor for each of the vacant offices. Such successor(s) shall take the oath of office and shall hold office until the next regular convention election. The International Executive Board shall adopt such rules as it deems necessary for nomination of candidates in such event.

Section 4. In the event that the office of any of the International Vice Presidents shall become vacant, the International Executive Board shall elect a successor for the vacant office after the International Vice Presidents move up numerically. Such successor shall take the oath of office and shall hold office until the next regular convention election.

Section 5. The International President, International Secretary-Treasurer, the First Vice President and Second Vice President shall each, by virtue of their elected position(s), be delegates to the Convention of the American Federation of Labor and Congress of Industrial Organizations and the Building and Construction Trades Department. By virtue of their elected positions, the remaining Vice Presidents shall numerically serve as alternate delegates.

ARTICLE VII

Salaries and Expenses

Section 1. The salaries and expense allowances hereinafter set forth are effective January 1, 2014.

Section 2. The salary of the International President shall be Three Thousand Seven Hundred Sixty-One Dollars and Forty-Seven Cents (\$3,761.47) per week.

Section 3. The salary of the International Secretary-Treasurer shall be 90% of the International President's salary. Each shall receive a per-diem for expenses while on assignment in Washington, D.C. equal to the Federal high-low rates in effect at the time.

Section 4. International Vice Presidents shall receive a salary of 75% of the International President's salary per day when on assignment unless they are employed in the capacity of an International Representative, Organizer, or Assistant to the President, in which case they shall receive only the salary for said position.

Section 5. The salaries and expenses of the International Organizers and other non-elected positions shall be determined by the International President but are not to exceed the salary of an International Representative.

Section 6. The salaries and expenses of the Assistants to the President shall be determined by the International President but are not to exceed the salary of an International Representative by more than twelve percent (12%). If an Assistant to the President should also be an International Vice President, he shall not also be entitled to the compensation provided in Section 4 of this Article.

Section 7. The salaries of the International Representatives shall be 70% of the International President's salary including increases contained herein.

Section 8. All Officers of the International Union, Representatives, Organizers, and Assistants to the President shall be reimbursed for transportation.

Section 9. Effective January 1, 1999 Officers of the International Union and International Representatives shall receive Forty Dollars (\$40.00) per day in reimbursement of their expenses when not on assignment. However, this sum of Forty Dollars (\$40.00) per day reimbursement of expenses, when not on assignment, shall not be paid during periods of prolonged illness, vacation or personal leave of absence.

Section 10. Effective January 1, 1999 all Officers of the International Union and International Representatives shall be given a per diem for out of town travel while on assignment and away from their home equal to the Federal high-low rates in effect at the time of travel for the area of travel.

Section 11. Effective February 1, 1999 and February 1 of each year thereafter, the salary for the International President shall be increased by the percentage increase, if any, in the National Cost of Living Index published by the U.S. Department of Labor not to exceed 5% per year. The basis of the increase shall be the twelve (12) month period December to December of the previous year.

Section 12. The granting of each year's cost of living increases, if any, to the Assistants to the International President, International Organizers and other non-elected positions shall be determined solely by the International President.

Section 13. All Officers and personnel of the International Union shall be bonded by a responsible corporate surety in such amount as may be required by law; provided, however, that the bond of the International Secretary-Treasurer shall in no event be less than \$500,000.00. The premium on all such bonds as may be required shall be paid by the International Union.

Section 14. The expenses referred to may be increased during the term of any officer if such increases are determined to be necessary and proper by the International Executive Board.

ARTICLE VIII Duties of Officers

Section 1. All International Representatives shall make quarterly reports to the International President; appropriate reports shall be published in the official journal of the International Union.

The International Executive Board shall have the power and authority, if in the exercise of its discretion, it believes that the assertion of such power and authority will enhance the interest of the International Union, to review and to modify or to revoke any action

taken by any International Officer pursuant to the authority granted by Article VIII of this Constitution.

Section 2. The International President shall preside at the conventions and shall conduct the same in conformity with this Constitution and the By-Laws promulgated hereunder.

a. He shall act to the best of his ability in furthering the interests of this International Union and its members.

b. He shall be Representative-in-Chief with the power to interpret and enforce the International Constitution and By-Laws and shall have general supervision over any and all matters involving the administration of the International Union. He shall appoint and determine salaries and expenses for Assistants to the President, Organizers, newly appointed International Representatives and other non-elected positions.

c. He shall be chairman of the International Executive Board and shall call sessions of the International Executive Board at such times as he deems it necessary, designating the time and place. He shall also call such sessions upon the written request of any seven (7) International Vice Presidents, which request shall state the purpose for calling such session. He shall, in calling such session, designate the place and set the date, which shall be in the second calendar month following the date of the request, as shown by the date mark on the envelope containing such request.

d. The International President, whenever in his judgment any project is undertaken in an area which is not adequately policed, is authorized to organize the workers in our crafts, which may include transferring territory between local unions and establishing new local unions and he may expend such money out of the General Fund as he deems necessary to accomplish such actions.

e. He shall have the emergency power to impose a trusteeship upon any Local Union or subordinate body for the purpose of correcting corruption or financial malpractice, assuring the performance of collective bargaining agreements or other duties of a bargaining representative, restoring democratic procedures or otherwise carrying out the legitimate objects of such Local Union or subordinate body.

He shall further have the power to appoint a trustee to act subject to the International President's directions and control to direct the affairs of such Local Union or subordinate body, and shall have the power to remove or substitute a trustee until such time that the International Executive Board shall take final action. The imposition of a trusteeship shall be effected by causing written notice to be served in person or by certified mail upon the Local Union or subordinate body and any officers or representatives thereof, which notice shall state the action he has taken and the name of the trustee, if one has been appointed. In exercising such authority, the International President shall take such steps as he deems necessary for the protection of the rights and property of this International Union and of the rights and property of the Local Union upon which a trusteeship has been imposed. In the event the International President shall deem it necessary to impose a trusteeship, he shall follow the procedure as set forth in the By-Laws of the International Union.

f. The International President may place a local union under supervision and appoint and designate an International Vice President or International Representative of the Union in good standing as a personal representative who shall act on the President's behalf as and when the President may determine, to monitor, oversee, observe and/or instruct any subordinate body of the International Union including but not limited to the right to attend meetings, interview members, review records and observe the administration and operation of such subordinate body.

g. He shall have the power to appoint all such committees as he may deem necessary, in such a manner and form as he desires, unless otherwise herein provided for. Trustee appointments to the National Roofing Industry Pension Fund shall be subject to the approval of the International Executive Board.

h. He shall perform such other duties as may be imposed upon him by this Constitution and the By-Laws promulgated thereunder.

i. He shall have the power, with the advice and consent of the International Executive Board, to merge a Local Union with another Local Union; provided, however, that he shall have emergency power, with

the prior approval of a committee appointed by the International President to investigate and report its findings to him, to merge such a Local Union without the advice and consent of the International Executive Board for the purpose of correcting corruption or financial malpractice, or assuring the performance of collective bargaining agreements or other duties of a bargaining representative, or restoring democratic procedures, or otherwise carrying out the legitimate objects of a Local Union.

In the event there shall be a protest to the conduct of the International President in directing such merger, the merger shall nevertheless proceed and the protest shall be heard by the International Executive Board, which may approve the action of the President or take such further action as it deems appropriate in the circumstances.

Section 3. The International Vice Presidents shall assist the International President in the performance of his duties and succeed him in their numerical order in the event of his absence.

They shall perform such duties as may be imposed upon them by the Constitution and the By-Laws promulgated thereunder and be subject at all times to the orders of the International President and the International Executive Board.

Section 4. The International Secretary-Treasurer shall keep an accurate system of all money transactions, and in connection therewith, install and maintain in force in this International Union and its Local Unions an appropriate uniform system of accounts and receipts.

a. He shall write all correspondence for and maintain the file records of this International Union.

b. He shall, with the International President, sign and issue all charters.

c. He shall be the custodian of all property and assets, including the seal, belonging to the International Union and maintain its bank accounts only in the full name of this International Union, subject to withdrawal under his name or under the name of the International President in his official capacity.

d. He shall publish and distribute a publication to the membership.

e. He shall maintain full and complete records of members expelled and fines pending against active and expelled members.

f. He shall cause an audit of his books and records to be made by a certified public accountant at the end of each fiscal year, the fiscal year to be from July 1st to June 30th, and the report thereof shall be submitted at the session of the International Executive Board next following its completion.

g. He shall perform such other duties as may be imposed upon him by this Constitution and the By-Laws promulgated thereunder.

Section 5. The International Executive Board shall negotiate all treaties between this and all other crafts.

a. It shall adjust all differences and disputes which may arise between its Local Unions or between this International Union and its Local Unions and its decision shall be final and binding unless any of the parties to such differences and disputes shall file an appeal with the next convention, which appeal shall be handled in the manner provided for appeals to the convention in Article IX.

b. It may maintain a staff of representatives under the supervision of the International President. Such representatives shall, when advisable, be permitted to attend sessions of the International Executive Board and shall be given a voice at such sessions but shall have no vote.

c. It shall fill all vacancies not otherwise provided for.

d. It shall review, when requested, decisions of any Local Union, with power to affirm or reverse in the manner and under the conditions hereinafter set forth in Article IX.

e. It shall have the power to bring, hear and decide charges against any Local Union, District Council or member, and in such event it shall sit as a trial board, charged with the duty of conducting a fair and impartial trial in the manner and under the conditions hereinafter set forth in Article IX.

f. It shall perform all other duties imposed upon it by this Constitution and the By-Laws promulgated thereunder. Between conventions it shall have the authority to make such laws and rules as may be needed in the interest of and for the benefit of this International

Union and its membership, on issues not defined in this Constitution and By-Laws, provided that such laws and rules are approved by the International President and are published to the affiliates and members and provided further that the express provisions of this Constitution and By-Laws may not be replaced or changed unless mandated by law.

g. It shall make such recommendations as it deems essential to the welfare of this International Union, which recommendations shall be presented by the International Secretary-Treasurer, in the name of the International Executive Board to the next convention, to be acted upon by the delegates thereto in the same manner as resolutions presented to the convention.

h. It shall supervise the facilities being provided and the arrangements being made by the Local Union in the city in which the International Convention is held. The International Executive Board may delegate some or all of these duties and powers to one or more of the International Officers.

i. Upon the call of the International President, the Executive Board shall have the authority to conduct its business by other forms of communication, provided that in such event, such action be approved and ratified at the next regular Executive Board meeting.

Section 6. The International Officers and all officers and members shall at all times direct their activities for the protection of that work over which this International Union has jurisdiction and to the restoration of any work which historically or traditionally has been performed by our Local Unions and their members.

ARTICLE IX

Charges, Trials, and Appeals

Section 1. Whenever charges are preferred against any member or officer which are to be heard by the Local Union trial board, the charges shall be filed with the Secretary of the Local Union, and a copy shall immediately be filed with the International Secretary-Treasurer. If the charges are to be heard by the International Execu-

tive Board, the charges shall be filed with the International Secretary-Treasurer.

a. No interested party shall sit as a member of any trial board. No member or officer shall be tried unless he shall be served by the Secretary of the Local Union or the International Secretary-Treasurer, personally or by certified mail, with a written copy of such charges specifying the matter of the offense of which he is accused. Thereupon, the accused shall be required to stand trial at the time and place designated, which shall not be less than ten (10) days from the date the charges are served upon the accused. The accused may appear in person, and with witnesses, to answer the charges. He may select a member of a Local Union to represent him in the presentation of his defense. If the charges or any portion thereof are sustained, the trial board shall render judgment and impose disciplinary action as provided for in this Constitution. If the charges are not sustained, they shall be dismissed and the accused restored to full rights in the Local Union or in this International Union. The Secretary of the Local Union shall notify the International Secretary-Treasurer of the disposition of charges filed against any member or officer immediately following the hearing on said charges.

If the Secretary of the Local Union fails to notify the International Secretary-Treasurer of the status or disposition of the charges within ninety (90) days after the filing of the charges, the International Office may disregard such charges and the accused member shall not be refused a transfer card, a withdrawal card or re-initiation by reason of the filing of such charges or the disposition thereof.

b. Upon the filing of such charges, and if the same are of such magnitude and seriousness as to jeopardize the interests of the Local Union and this International Union, then and in that event the International President may, if he deems it advisable, immediately suspend such member or officer until a decision has been rendered in the case.

c. Whenever, in this article, it is provided that service may be had upon an accused by certified mail, it shall be sufficient if said certified mail is addressed to the accused at his last known place of ad-

dress; if so addressed, it shall not be a defense to the finality of any action taken or decision rendered in the proceedings that said certified mail was refused by the accused or that he had moved from his said last known address.

Section 2. In the event disciplinary action is taken against the accused, he may take an appeal from the decision of the Local Union trial board to the International Executive Board. Appeals from the International Executive Board shall be taken to the next convention. Such appeals shall be taken in the manner hereinafter prescribed within thirty (30) days from the date of service either personally or by certified mail upon the accused of the decision.

The appellant shall mail a written notice of such appeal to the International Secretary-Treasurer. No specific form or formality shall be required, except that an appeal is being taken from the particular decision rendered in the particular case and it shall include a statement of the facts and the decision of the trial board. Pending the final disposition of any appeal, the decision shall remain in full force and effect.

Where the appeal is from a decision imposing a monetary fine or monetary penalty, the appellant shall deposit the amount of such fine or penalty or \$250.00, whichever is the less, with the International Secretary-Treasurer pending the disposition of the appeal and during such time he shall be deemed to be restored to full membership. If the decision of the appellate body shall be adverse to the appellant and such decision becomes final, the International Secretary-Treasurer shall remit the deposit to the Local Union entitled to same; if favorable to the appellant, the deposit shall be returned to him.

Appeals shall be heard either on the record made before the trial board or by a new trial in the discretion of the appellate body. The date when an appeal will be heard shall be fixed by the appellate body and notice of said date shall be served personally or by certified mail to the trial board and to the interested parties and all of such parties may in the discretion of the appellate body, be accorded the right to appear and present arguments and such additional evidence as the appellate body may request.

Decisions on appeals shall be rendered as promptly as possible; copies thereof shall be served on all interested parties and the trial board, personally or by certified mail.

In the event any interested party shall fail to appear, the appellate body shall proceed to hear the appeal on the record submitted before the trial board.

Whenever an appeal is taken, it shall be the duty of the Chairman of the trial board to send all of the records in the case to the International Secretary-Treasurer, who shall in turn hold and turn over said records to the appellate body.

Section 3. Whenever charges are filed against a member of a sister Local Union, the Secretary of the Local Union in which the charges were filed, in addition to serving a copy of the charges on the accused and filing one copy with the International Secretary-Treasurer as hereinabove provided, shall serve one copy by certified mail upon the Local Union in which the accused is a member and shall also by certified mail serve upon that Local Union a copy of the decision within ninety (90) days after the date of the decision. Upon being notified of the decision, the Local Union in which the accused is a member shall take all steps necessary to enforce the decision against the accused; if the Local Union fails to do so, the matter shall be brought to the attention of the International Executive Board by any interested party and the International Executive Board shall take such actions as it deems appropriate in the circumstances.

Section 4. Whenever charges are preferred against a Local Union or District Council, such charges shall be filed in writing with the International Secretary-Treasurer and a copy thereof shall be served personally or by certified mail by the International Secretary-Treasurer upon the Secretary of the accused. The charges shall be heard by the International Executive Board.

Upon the filing of such charges, the Local Union or District Council accused shall be accorded such a period of time to appear for trial and submit its defense as shall be fixed by the trial board, but which shall not be less than thirty (30) days from the date of the filing of the charges against the Local Union or District Council accused.

Appeals from the decision of the International Executive Board sitting as a trial board or appellate body, shall be taken by the Local Union or the District Council to the convention.

Section 5. Whenever charges are filed against an International Officer or International Representative, such charges shall be filed with the International Executive Board, which shall proceed to hear the charges at such time and place as it shall fix and shall serve, either personally or by certified mail, the accused with a copy of said charges and a notice of such time and place for the hearing of such charges, which time shall be not less than thirty (30) days from the date of service upon the accused International Officer or International Representative. An interested party in such situation shall not sit as a member of the International Executive Board while such proceedings are being determined.

Appeals from the decision of the trial board in the preceding paragraph shall be taken to the convention.

Section 6. The International Executive Board shall have original jurisdiction to try members, Local Unions, District Councils or International Officers and International Representatives for all offenses committed against the International Union or against its officers or other Local Unions. In all other cases, including cases in which a Local Union has filed charges against a member of any affiliated Local Union for an offense committed against that Local Union within the limits of its territorial jurisdiction, a Local Union shall have original jurisdiction to try any of its members or officers for any violations of its Constitution and By-Laws.

Appeals from decisions of the International Executive Board in the preceding paragraph shall be taken to the next Convention.

Section 7. The basis for charges against members, Local Unions, District Councils or International Officers or International Representatives, for which he or it shall stand trial, shall, among other things, consist of the following:

(1) Violation of any specific provision of this Constitution and the By-Laws promulgated thereunder.

(2) Violation of oath of loyalty to the Local Union and the International Union.

(3) Violation of the oath of office.

(4) Gross disloyalty or conduct unbecoming a member.

(5) If an officer, gross inefficiency which hinders or impairs the interests of the Local Union or of the International Union.

(6) Misappropriation.

(7) Secession or fostering secession.

(8) The wrongful taking or retention of any books, papers or any other property belonging to the International Union, the Local Unions or District Council.

(9) Abuse of fellow members and officers by written or oral communication.

(10) Abuse of fellow members or officers in the meeting hall.

(11) Activities which tend to bring the Local Unions or the International Union into disrepute.

(12) The mutilation, erasure, destruction or injury to any books, bills, receipts, vouchers or other property of the International Union, Local Unions or District Councils, except in the manner which may be provided for in this Constitution or the By-Laws promulgated thereunder.

(13) If any member knowingly works for or remains in the employment of a non-signatory employer or an employer whose men are on strike or locked out, unless he has the permission of the Local Union or International Union.

(14) If any member knowingly gives or attempts to give, directly or indirectly, any information to any employer who is on an unfair list or whose employees are on strike or locked out or whose employees are trying to secure an agreement or improvement in their working conditions, for the purpose of assisting such employer or for any gain or promise of gain.

(15) Such other acts and conduct which shall be inconsistent with the duties, obligations and fealty of a member of a trade union and for violation of sound trade union principles.

Section 8. Decisions and penalties may consist of reprimands, fines, suspension, expulsion, revocations or commands to do or perform, or refrain from doing or performing, specified acts. If the penalty is by way of fine, then the same must be paid to the Treasurer of the Local Union if it is the Local Union Executive Board which is conducting the hearing or to the International Secretary-Treasurer if the fine is assessed where the International Executive Board has original jurisdiction. In those cases in which a fine has been imposed by a Local Union against a member of an affiliated Local Union, the fine shall be divided equally between the Local Union imposing the fine and the Local Union collecting the fine.

In the event of non-compliance with the decision and no further appeal is taken or allowed, the accused shall stand suspended of all privileges until the decision has been complied with; if, however, the decision carries with it an order of expulsion and no appeal is taken or allowed, such order shall immediately become effective.

In the event charges have been preferred against a member and disciplinary action taken as a result thereof, or in the event any surety has been called upon and has made good a loss to a Local Union or to the International Union by reason of the misfeasance or nonfeasance of a member, such member, if an officer, if found guilty after due process, shall stand forthwith removed from office and such member shall not thereafter be eligible to hold office, either elective or appointive, in any Local Union or in the International Union.

Section 9. If charges are preferred against members or officers of Local Unions and such charges are not ultimately sustained and the trial board or appellate body is convinced that the same were not brought in good faith or were actuated by malice, the trial board or the appellate board may impose such penalty or remedy after due process as in its judgment is deemed proper under the circumstances.

Section 10. Every accused, against whom charges have been preferred and disciplinary action taken as a result thereof, shall be obliged to exhaust all the procedures and remedies provided for herein before resorting to any other court or tribunal.

Section 11. The International President, may, in his discretion, assign International Vice Presidents, but not to exceed three, to take testimony when charges have been filed against an accused member over which charges the International Executive Board has original jurisdiction. The Vice President or Vice Presidents shall set the cause for hearing at a time and place in the manner provided in this Article, shall transcribe the testimony offered and the decision of the Vice Presidents so designated shall be the decision of the International Executive Board.

Section 12. The International President may, in his discretion, set any appeal or hearing provided for herein for hearing before a panel of one or more members of the International Executive Board to be appointed by him. The panel or individual so appointed shall immediately set the appeal for hearing at a time and place and in the manner provided for in this Article and the decision of the panel or individual shall be the decision of the International Executive Board. The panel may assess the losing party for the costs of any proceeding convened under this Article. Costs may include expenses necessarily incurred in convening the hearing and transporting board or panel members.

Section 13. The Codes of Ethical Practice heretofore adopted by the A.F.L.-C.I.O. Executive Council are hereby adopted and made a part hereof in all respects for and on behalf of the United Union of Roofers, Waterproofers and Allied Workers, its International Executive Board, its officers and representatives and all subordinate and constituent bodies thereof as a measure of proper trade union practices and conduct.

The International Officers, International Representatives, Local Unions, District Councils and their respective officers and representatives shall give effect to and enforce said Codes of Ethics and a failure to comply therewith shall be considered a breach of conduct subject to the penalties and procedures provided by the International Constitution and By-Laws.

Section 14. Every member alleging a breach or violation of any

term of this Constitution or By-Laws shall exhaust all procedures and/or remedies provided for and available herein and the decision of the appropriate intra-union tribunal shall be final and binding.

ARTICLE X

Local Unions

Section 1. Where five (5) or more roofers, waterproofers or allied workers located in any one city, town or locality shall have declared their intentions to amalgamate their individual efforts into one collective undertaking for the betterment of their working conditions in that particular city, town or locality, they shall apply for a charter and upon the application being accepted, shall be admitted to this International Union as a Local Union and their charter numbered in the order of their affiliation. Chartered Local Unions, as soon thereafter as may be done, shall adopt Local Union Constitution and By-Laws, to conform with this Constitution and By-Laws promulgated thereunder.

Section 2. Upon being granted a charter, each Local Union shall adopt a Constitution and By-Laws and forward four (4) copies of same to the International Secretary-Treasurer.

Section 3. The International President, together with the International Secretary-Treasurer, may install or revoke Charters wherever deemed necessary or advisable.

Section 4. The Constitution and By-Laws of a Local Union or District Council shall not contravene any of the provisions of this Constitution and By-Laws promulgated thereunder.

Section 5. No Local Union may dissolve while there are dissenting members.

Section 6. The withdrawal or secession of any members, individually or jointly, shall in no way affect the right or title of the Local Union or this International Union to the property or money of such Local Union. In the event a Local Union charter is revoked, or a Local Union is dissolved for whatever reason all assets, property, funds, books and records relating to the Local Union shall without further

proceedings become the property of this International Union, as provided in this Constitution.

ARTICLE XI

District Councils

Section 1. Seventy-five percent (75%) or more of the Local Unions located in a state or contiguous area may form a District Council, subject to the sanction of the International Executive Board.

Section 2. Such District Councils shall receive a charter and name upon the filing of an application with the International Secretary-Treasurer.

Section 3. Such District Councils shall function to promote the welfare of the members, Local Unions and of this International Union and shall have such further duties as may be imposed upon them from time to time by this Constitution and the By-Laws promulgated thereunder or by the Constitution and By-Laws of such District Councils.

Section 4. It shall be obligatory of each Local Union to affiliate itself with the Council in whose district it is located or as directed by the International President.

Section 5. Each District Council shall deposit four (4) copies of its Constitution & By-Laws with the International Secretary-Treasurer. It shall deliver to the International Secretary-Treasurer the same number of copies of any change or alterations therein.

Section 6. Each District Council must institute and maintain annual audits of its books and records. Such audits must be reported to the International Secretary-Treasurer within thirty (30) days following the end of each year on a format prescribed by the International Union.

Section 7. If, in the opinion of the International President, it would be preferable to have meetings of more than one District Council combined into a regional meeting, or to divide any District Council or District Councils into Sub-Councils for the purpose of meetings, the International President may so direct and such meetings shall satisfy the requirements of this section.

ARTICLE XII

Property Rights, Income and Expenditures

Section 1. Membership in this International Union shall not vest any member with any right, title or interest in or to the funds, property or other assets of this International Union or any Local Union or District Council, whether now owned or possessed or whether hereafter acquired, and each member hereby expressly waives any right, title or interest in or to the funds, property or other assets of this International Union or any Local Union or District Council.

Section 2. In the event of the expulsion, suspension or attempted secession or mass resignation of any Local Union or District Council, title to the property, funds and all other assets of such Local Union or District Council, however vested, shall be in the International Union for the use and benefit of the membership. In the event of the dissolution of any Local Union or District Council, title to the property, funds and all other assets of such Local Union or District Council shall be in the International Union, to be used by it in the furtherance of the purpose of this International Union. In no event shall any members have any severable proprietary right, title or interest therein. These provisions shall also apply to any property, funds and/or assets affected in preparation for or anticipation of acts or attempted acts described above; and any effort to alter or affect the right, title or interest to or in such property, funds or assets in connection with or related to any such acts or attempted acts shall be void and of no effect.

Section 3. The income of this International Union and of its Local Unions and District Councils shall be derived from fees, charges and obligations of all kinds including but not limited to initiation fees, re-enrollment fees, fair share fees, agency fees and dues, assessments, fines and penalties in such an amount as may be determined from time to time.

Section 4. The funds of this International Union shall be used in defraying its necessary expenses and purposes which may include, but is not limited thereto, burial benefits to be paid, to members of this International Union.

ARTICLE XIII

Amendments - Adoption

Section 1. This Constitution may be amended at any time by a two-thirds vote of the delegates present at any convention; provided, however, that the amendment submitted for adoption shall indicate whether it is amending, altering or changing any section of this Constitution and shall specifically refer to said section or whether it is to be an addition to this Constitution.

BY-LAWS

ARTICLE I

Duties of the International Union

Section 1. The International Union shall furnish each Local Union with a Charter of Affiliation, an individual Certificate of Membership for each member in the Local Union at the time of affiliation, International Union Transfer Cards, Official Receipt Books and International Union Constitution and By-Laws for each member, which shall be used or distributed only by official representatives.

Section 2. The International Union shall provide suitable letterhead, envelopes, record books, application blanks, and other paraphernalia for the purpose of properly conducting the business of the Local Unions and sell the same to the Local Unions. When such letterhead, envelopes, record books, application blanks, and other paraphernalia are made available by the International Union, such items may be purchased from the International Union. However, all such letterhead, envelopes, record books, application blanks and other documents and paraphernalia, including, but not limited to, charter of affiliation, certificates of membership, transfer cards, official receipt books, International Union Constitution and By-Laws and Convention Reports, even though they may be in possession or custody of official representatives or members of the International Union, shall be and remain, at all times, the property of the International Union at such time as any official representative or member may cease to be such official representative or member. The International Secretary-Treasurer shall also issue a uniform clearance card to all Local Unions at cost.

Section 3. Whenever a Local Union charter is requested, the International Union shall investigate the objection of any Local Union situated at or near such locality. If such Local Union protests the issuance of a charter, such Local Union must prove satisfactorily that it was granted jurisdiction in such locality and that it is actually and effectively administering and/or policing the jurisdiction in such

area. Upon receipt of such objections, the International President and the International Secretary-Treasurer shall make an investigation thereof and shall determine whether or not a charter shall be issued. If the International President and International Secretary-Treasurer determine that a charter shall be granted, such charter shall be issued and the protesting Local Union may file an appeal from such determination to the International Executive Board, which shall then act upon such appeal in the regular course of its business.

Section 4. Members of the International Union who enlist or are inducted to serve as members of the Armed Forces of the United States, shall be given a service withdrawal upon request at no charge other than the payment of dues through the current month; provided, however, that any such member shall return to his work with this craft within ninety (90) days after his release from active duty or from hospitalization continuing after such release for a period of not more than one (1) year, and shall, within said time deposit his service withdrawal, together with a certified copy of appropriate papers, if available, without the payment of any fee of any kind other than dues and Burial Benefit tax for the current month with the Local Union in the locality in which he returns to such work; and provided, further, that when a member, released from any of the Armed Forces of the United States, so deposits his service withdrawal, he shall be given credit for continuous service for the period of his enlistment or induction not to exceed five (5) years for the purpose of computing the amount of burial benefits to which his beneficiary might be entitled, service awards and superannuation.

Section 5. Any proposal to merge or amalgamate the International Union with any other labor organization shall not be effective unless it shall be approved by a majority vote of the delegates at a regularly scheduled convention or at a special convention called by the International Executive Board to consider such proposal. In the event it shall call such a special convention, the International Executive Board shall fix the time and place and shall adopt such other rules as it may deem necessary, consistent with the provisions of Article V of

the International Constitution, for the call and the conduct of such special convention.

Section 6. The International Union shall, at its earliest possible date, furnish upon request, to all affiliated Local Unions and District Councils, a copy of all jurisdictional awards affecting its affiliated groups and the territorial jurisdiction of the affiliate groups by counties, and/or its boundaries on file in the International Office.

ARTICLE II

Duties of the Local Union

Section 1. Each Local Union shall deposit with the International Secretary-Treasurer the application-identification blank of each prospective member. It shall also deposit four (4) copies of its Constitution and By-Laws, and four (4) copies of its most current negotiated signed bargaining agreement(s). It shall from time-to-time deliver to the International Secretary-Treasurer the same number of copies of any change or alternations therein. Any provision in any Local Union Constitution or By-Laws shall be void if it is in conflict with the Constitution and By-Laws of this International Union.

a. The Local Union shall furnish each member with one copy of the International Constitution and By-Laws which will be furnished free of charge by the International Union. Upon the adoption of the proposed International Constitution and these By-Laws, a copy thereof shall be sent free of charge to each member of the International Union and thereafter any amendments thereof shall be sent free of charge to all members.

Section 2. Each Local Union shall require any of its members working in any territorial jurisdiction, whose total wage and fringe benefits are higher, to demand and receive the higher wage and fringe benefits. Each Local Union shall negotiate a collective bargaining clause that signatory employers who work in such territorial jurisdictions shall contribute to the fringe benefit programs maintained where the employees are working.

If a contractor has been paying into any of the above mentioned

funds in his territory he shall not be obligated to pay into another fund, unless after paying the higher wages to his employees and paying all contributions into all of its established funds, the total wage package is still below that of the territory where the work is being performed, in which case the employer shall be obligated to pay the difference into whatever fringe benefit funds are provided for in the collective bargaining agreement in the territory where the work is being performed.

Section 3. In conformity with the requirements of the American Federation of Labor and Congress of Industrial Organizations and the Building and Construction Trades Department, with which this International Union is affiliated, it shall be obligatory for each Local Union to affiliate itself with the local and state labor bodies of both organizations.

Section 4. In the case of a strike, the Secretary of the Local Union in that locality shall notify the International President or International Secretary-Treasurer, provided, however, that no prior approval or subsequent ratification shall be required from the International President or International Secretary-Treasurer. The procedures for strike authorization shall be described in a Local Union's Constitution and/or By-Laws and unless exempted by the International President shall provide for strike authorization through a secret ballot vote by at least 51% of the active members covered by the involved contract provided, however, that the described minimum shall not be applicable if a strike vote is by mail referendum in which event the majority may be of ballots returned. Only eligible members actively working or available for work in the trade can vote on strike authorization.

Section 5. Effective January 1, 2014, Local Unions shall bargain for a contribution of no less than three cents (\$.03) per hour in all new or negotiated collective bargaining agreements with signatory employers to the Roofers and Waterproofers Research and Education Joint Trust Fund for each hour worked by all covered bargaining unit employees.

Section 6. An appeal for financial aid from a Local Union to other Local Unions must first be approved by the International President.

Section 7. A Local Union may place in force and effect the basis of a 50/50 ratio when working in the territory of another affiliated Local Union. Provided, however, that if the job employs an odd number of workers, the odd worker shall be employed by the contractor who was awarded that job. Provided, further, that when only one man is required the 50/50 ratio shall not apply.

Section 8. Effective January 1, 2011 a member shall not be eligible to be a Local Union Officer unless he has been a member in continuous good standing of the Local Union and paying full dues and per capita tax for a minimum of two (2) years prior to nomination.

Section 9. The officers of a Local Union shall be elected and serve for a period of three years.

Section 10. Any member reaching age sixty (60) and who retires from the trades with twenty (20) years or more in continuous good standing, may, upon proper application to the International Secretary-Treasurer, be placed in superannuated status and shall thereafter be required to pay only one-half of the usual per capita tax. For the purpose of superannuation, retirement is defined as total withdrawal from active employment within the trade.

Any member in continuous good standing for a period of twenty (20) years or more and suffering a disability which, in the opinion of a competent physician, disqualifies the member from satisfactorily performing his work, may, upon proper application to the International Secretary-Treasurer, be placed in superannuated status and shall thereafter be required to pay only one-half of the usual per capita tax.

Any member in continuous good standing for a period of ten (10) years or more and totally disabled, if thorough investigations by the Local Union and the International Secretary-Treasurer confirm such disability, shall be granted superannuated status and shall thereafter be required to pay only one-half of the usual per capita tax. Nothing herein contained shall be construed to deprive any member of any rights guaranteed to him by law.

A member against whom any charges are pending or who has an outstanding fine or other penalty shall not be entitled to superannu-

ated status until all issues are resolved without adversely affecting good standing. Nothing herein contained shall be construed to deprive any member of any rights guaranteed to him by law.

Section 11. No temporary permits shall be issued. Applicants for membership paying their initiation or administrative fees in full or on the installment basis as hereinafter provided shall be issued an appropriate receipt. Any person working under a subordinate body contract or performing work claimed by a subordinate body shall be financially obligated as an applicant for membership.

a. When an applicant is unable to pay his fee in full and desires to make payments on account thereof, the amount to be paid shall be not less than five dollars (\$5.00) per day or such other amount as may be determined necessary by the International President to assist in effectively organizing or protecting the jurisdiction of this International Union. Payments made by the applicant during this period shall be applied towards the applicant's fee.

b. When his initiation fee has been paid in full, the identification blank of the applicant shall be forwarded to the International Secretary-Treasurer for enrollment. When an applicant is paying his initiation fee on the installment plan, the Local Union shall remit 10 percent of each installment so as to reach the International Secretary-Treasurer not later than the tenth day of the following month.

c. All payments shall be accounted for through the official receipts system.

d. In the event an applicant paying his initiation fee on the installment plan fails to pay said initiation fee in full, he shall not thereafter be entitled to recover any portion of the money so paid by him, either from the Local Union or the International Union.

e. Nothing herein contained shall in any way affect the provisions of Section 2 of Article III of the By-Laws.

Section 12. The eligibility of a member to vote shall be governed by the provisions of Article IV, Section 2 of the International By-Laws. In addition to such other provisions relating to or determining eligibility for office, no member shall be eligible to be nominated or run for any office who shall have been removed from or lost mem-

bership in good standing as defined in Article V, Section 10 of the By-Laws.

Section 13. Any member who desires to challenge an adverse ruling on his eligibility to run for office shall appeal, in writing, within forty-eight (48) hours after receipt of the ruling to the International President or his designee, who shall decide such an appeal within seven (7) days after receipt of protest.

In the event there shall be any protest or charges made concerning the conduct of an election by any member of the Local Union prior to the holding of the election, such protest or charges shall be made in writing by registered or certified mail to the Local Union Secretary within forty-eight (48) hours of such member's knowledge of the event complained of prior to the election and shall set forth the exact nature and specifications of the protest. Such protest or charges shall be referred immediately by the Secretary to the Local Union Executive Board which shall decide such protest or charges within five (5) days after receipt thereof. The Secretary shall immediately notify such member in writing of the Executive Board's decision.

The decision of the Local Union Executive Board shall be appealed within forty-eight (48) hours from receipt of the decision to the International President or his designee, who shall decide such an appeal within seven (7) days after receipt of protest and shall notify the Local Union Executive Board and the member.

In the event there shall be any protest or charges by any member of the Local Union concerning the conduct of an election after the election has been held, such protest or charges shall be made in writing by registered or certified mail by such member to the Secretary within forty-eight (48) hours after the final tally of ballots and shall set forth the exact nature and specifications of the protest or charges and such member's claim as to how it has affected the outcome of the election. Such protest or charges shall be referred immediately by the Secretary to the Local Union Executive Board which shall decide such protest or charges within five (5) days after receipt thereof. The Secretary shall immediately notify such member in writing of the Executive Board's decision. The decision of the Local Union Executive

Board shall be appealed within forty-eight (48) hours from the receipt of the decision to the International President or his designee, who shall decide such an appeal within twenty (20) days after receipt of protest.

Section 14. Whenever a member shall have had 25 and 50 years of continuous membership in this International Union, there shall be issued to him a suitable memento commemorating such length of service, together with a suitable coat lapel pin for 25 and 50 years of service, which shall be made available by the International Union.

In addition, whenever a member shall have had 20 years, 30 years, 35 years, 40 years, and 45 years of continuous membership in the International Union there shall be issued to him a lapel pin commemorating such lengths of service. For 55 years and each 5 years thereafter in continuous good standing a member shall be issued a suitable memento commemorating such lengths of service. A member against whom any charges are pending or who has an outstanding fine or other penalty shall not be entitled to receive service pins or commemorative mementos until all issues are resolved without adversely affecting good standing.

ARTICLE III

Duties of the Members

Section 1. Every member shall be governed by and abide by the provisions of this Constitution and By-Laws and by the Constitution and By-Laws of his Local Union.

Section 2. A member of a Local Union shall not be required to transfer into a Local Union when he is sent into that Local Union's territory on a specific job by his employer. In that event such member may be required to pay to the Local Union into whose territory he has been sent, service dues as hereinafter provided and such Local Union, if it requires such payment, shall thereupon issue to such member appropriate receipts for the period of time he is working in the territory of that Local Union.

a. The service dues shall be in lieu of any and all regular dues and

assessments and shall amount to two dollars (\$2.00) per day during the period of time such member is working in the territorial jurisdiction of such sister Local Union.

b. Such service dues, as herein provided, shall be for the purpose of defraying the additional administrative costs incurred by a Local Union in providing services to members of a sister Local Union working within the territory of such Local Union. Payment of such service dues is an incident of membership, and a failure on the part of a member working in the territory of a sister Local Union to pay such service dues shall subject him to charges for violation of the provisions herein contained; provided, however, that such failure shall not be used as the basis for adversely affecting the employment rights of a member.

Section 3. Members sent by their employers from the jurisdiction of one Local Union into the jurisdiction of another Local Union shall immediately report to the Secretary, Business Representative or President of the Local Union in whose jurisdiction they are located before starting to work. Said members shall receive from their employers at least the established wage scale of the Local Union of which they are members and in no case less than the established wage scale of the Local Union in whose jurisdiction they are employed and shall otherwise comply with the established working rules and conditions of the Local Union in whose jurisdiction they are located and said members shall not be required to transfer their membership to the Local Union in whose jurisdiction they are temporarily employed.

Section 4. Nothing herein contained in this Article shall be construed to limit the duties of any individual member under any other Article or Section contained in the Constitution or in the By-Laws of this International Union and he shall be bound by all other provisions thereof which refer to him.

Section 5. Clearance cards shall be issued by the proper officers of a Local Union to a member when such member is sent to work in the territory of another Local Union.

Section 6. The Professional Code of Conduct and Standards of

Mutual Responsibility adopted or revised by the International Executive Board are hereby adopted and made a part hereof in all respects for and on behalf of all members of the United Union of Roofers, Waterproofers and Allied Workers as a measure of proper trade union practices and conduct.

ARTICLE IV

Burial Benefit Clause

Section 1. To encourage the prompt payment of dues and subject to strict compliance with the provisions of the Constitution and these By-Laws in all respects, there is hereby established a Burial Benefit Plan to assist members of this International Union. It is specifically understood that this International Union is not an insurance company or a fraternal benefit association and the provisions relating to these burial benefits are to be strictly adhered to. Nothing herein contained shall raise any other presumption.

For the purpose of carrying out the provisions of the Burial Benefit Plan, there is hereby established a Burial Benefit Fund which shall be maintained by the International Secretary-Treasurer as a separate account. The International Secretary-Treasurer shall credit to such account the funds in his control and possession properly chargeable to the Burial Benefit Fund. In addition thereto the International Secretary-Treasurer shall credit to said fund and deposit therein:

a. Effective July 1, 2014, the sum of \$2.90 per month shall be paid by each member for Burial Benefit Tax.

Effective July 1, 1989 each member placed on superannuated status shall thereafter pay only one-half of the usual Burial Benefit Tax.

The International Secretary-Treasurer shall not credit any additional funds into the Burial Benefit Fund unless instructed to do so by convention action.

The International Secretary-Treasurer shall make a full and complete report on the status of the Burial Benefit Fund to each convention.

Section 2. To be eligible for burial benefits, a member must be in continuous good standing for a period provided hereinafter. To be a

member in good standing, all dues and other outstanding obligations of such member must be paid on or before the last day of the third month after the due date. Any member who has not paid such dues or obligations in the manner set forth above is not a member in good standing.

In the event a member elects to pay his dues or other outstanding obligations by mail, the effective date of such payment shall be the first business day on which it is received by the local union.

It is the duty of each member to see that his dues and obligations due to this International Union are promptly paid and no one else may be held accountable for the payment or collection of such monies.

In addition to the payment of dues and obligations, a member shall not be in good standing if he has been suspended or removed by action of any tribunal for misconduct or violation under the Constitution and these By-Laws or the Constitution and By-Laws of the Local Union of which he is a member.

Section 3. For all members who were in good standing for the period hereinafter indicated, and die after July 1, 2004, the following burial benefits shall be paid:

a. To a member in continuous good standing for more than six full months, but not to exceed twelve full months, the sum of One Thousand Two Hundred Dollars (\$1,200.00).

b. To a member in continuous good standing for more than twelve months, but not to exceed eighteen full months, the sum of One Thousand Eight Hundred Dollars (\$1,800.00).

c. To a member in continuous good standing for more than eighteen full months, but not to exceed twenty-four full months, the sum of Two Thousand Four Hundred Dollars (\$2,400.00).

d. To a member in continuous good standing for more than twenty-four full months, but not to exceed thirty-six full months, the sum of Three Thousand Dollars (\$3,000.00).

e. To a member in continuous good standing for more than thirty-six full months, but not to exceed sixty full months, the sum of Four Thousand Five Hundred Dollars (\$4,500.00).

f. To a member in continuous good standing for more than sixty full months, the sum of Five Thousand Dollars (\$5,000.00) effective January 1, 2007.

In the event of the death of a member, not more than one of the amounts herein specified shall be paid.

Section 4. A member who has been removed from the membership rolls for non-payment of dues, as provided by Section 12, Article VI of the By-Laws, and who within three months after the date of such removal pays an amount equal to all of his unpaid dues plus the re-enrollment fee required of him becomes in good standing on the date of such re-enrollment as though he had never been removed from the membership roll. If such a member shall fail to re-enroll himself within said period, but shall thereafter be initiated again as a new member, he shall not acquire as such new member, any rights because of his previous membership.

Section 5. The burial benefits herein set forth are for the sole purpose of providing a suitable and decent burial for the members and they are not to be construed to be the benefits due under an insurance policy or insurance plan. It is the duty of the International Secretary-Treasurer to see that the funeral expenses are paid with the money provided for by these benefits. Any money remaining after the payment of such funeral expenses shall be disposed of under the provisions of Section 7.

Section 6. If the undertaker's bill for services has not been paid, the burial benefits will be made payable to the undertaker. If the undertaker's bill for services has been paid and a receipted copy of same produced, or if an employer is obligated by statute or contract to pay for such burial, the burial benefits will be made payable to the next of kin of the deceased in the manner set forth in Section 7. A certified copy of the death certificate, a copy of the undertaker's bill and a copy of the last dues receipt shall be presented with the claim for burial benefit.

Section 7. Where the deceased member has no next of kin, the Local Union shall arrange for a funeral of such member to be paid for by the International Secretary-Treasurer, to the extent that burial

benefits are available; any balance remaining unexpended shall be re-mitted to the Local Union of which the deceased was a member. Where the deceased member has next of kin, any money remaining after the undertaker's bill has been paid shall be paid to the next of kin of the deceased in the following order:

1. To the spouse of the deceased.
2. To the child or children of the deceased.
3. To the parents of the deceased.
4. To the brothers and sisters of the deceased.

In any case where a dispute arises as to who is entitled to the benefits herein provided for, the payment thereof to the Administrator, Executor, or next of kin as herein above provided for, shall fully release this International Union of its obligations thereunder and any such payment shall fully discharge and release this International Union and all of its officers and members, past, present and future, of and from any further liability to pay again even though and in the event an error in payment has been made.

Section 8. A claim for burial benefits shall be barred unless such claim is filed within one year from the date of death.

Section 9. The acceptance of delinquent dues from his representative, next of kin or beneficiaries of a member not in good standing at the time of his death shall not be construed as a waiver of the provisions regarding burial benefits and shall not entitle anyone to such burial benefits.

Section 10. No lapse of time or unexplained disappearance of a member without actual proof of the death of such member shall entitle his estate, next of kin or any other person to the burial benefit payments provided herein. Such benefits shall be paid only where there is positive proof of death. This provision, however, shall not apply to any member whose next of kin may be entitled to burial benefits and who has become a member of the armed forces of the United States and his death reported by the Secretary of Defense.

Section 11. The International Secretary-Treasurer shall deduct from any Burial Benefit payments made to a beneficiary of a deceased member, delinquent per capita and Burial Benefit taxes, no-

taries public fees and fees for certified copies and for photostats, and the balance due as herein provided shall then be remitted to the proper beneficiary.

Section 12. The International Secretary-Treasurer, at the direction of and subject to approval by the International Executive Board, is authorized to enter into a contract of insurance with any reputable Life Insurance Company authorized to maintain group insurance policies for the purpose of providing for the payment of burial benefits due under this Article.

ARTICLE V

Dues, Assessments, Fines and Other Obligations of Members

Section 1. Each Local Union shall establish and maintain an initiation or administrative fee ("fee") of not less than \$25.00 nor more than an amount equal to ten days' pay at the established rate of wages for that Local Union; provided, that this shall not be construed to require any Local Union to reduce its present and existing fees; provided that this fee may be lowered to less than \$25.00 upon the authority of the International President where such is deemed necessary to organize effectively or to protect the jurisdiction of this International Union; and provided further that fees shall not otherwise be raised or lowered without first securing the approval of the International Executive Board, after compliance with applicable law.

a. Official receipts issued by any Local Union showing payments on account of fees within twelve months of the date of issuance of such receipts, shall be accepted as payment or partial payment of the fees by any Local Union; provided, however, that such official receipts shall be accepted only for the credit of the applicant for whom such receipts were originally issued and may not be transferred; and provided, further, that the Local Union to which such applicant may have transferred his application shall be credited with the amount paid on account of the applicant's initiation fee and if the amount still due from such applicant for his fee is not sufficient to cover the fee of the

Local Union to which he transferred his application, the Local Union may require the applicant to pay the additional sum.

b. A Local Union is required to credit an official receipt up to twelve months old to an applicant's fees.

Section 2. The application for membership and identification of each applicant shall be submitted to the International Secretary-Treasurer, together with a fee equal to ten percent (10%) of the Local Union fee, but not less than \$25.00 or such other amount as may have been determined under this Constitution and By-Laws. Thereupon the International Secretary-Treasurer shall issue an individual membership certificate card if the applicant shall be otherwise qualified to become a member. Per capita tax and Burial Benefit Tax for such applicant shall be paid for the month in which his individual membership card has been issued.

Section 3. Each member shall pay the monthly rate of dues established by the Local Union which shall not be less than \$21.00 per month to defray the needs and requirements for operating expenses of the Local Union and the obligations due to the International Union; provided, however, it shall not be a violation of this section for a Local Union to establish a rate of dues based on days or hours worked or on a percentage of earnings. It shall be the obligation of each Local Union to negotiate an appropriate and lawful check-off provision in each collective bargaining agreement to effect payment of dues based on days or hours worked or on a percentage of earnings. Notwithstanding anything to the contrary determined or fixed by an affiliated Local Union, effective July 1, 2014, the dues to be paid by each member to his Local Union shall be the amount set forth in Subsection (a), which amount or the increased amount shall be applied by the Local Union in payment of the additional per capita tax required in Subsection (a).

a. The monthly per capita tax payable to the International Union shall be as follows:

Commencing effective July 1, 2014 - \$18.10.

The International Secretary-Treasurer shall credit an amount determined by the International President from each member's

monthly per capita tax to defray the cost of the International publication and shall credit an amount determined by the International President from each member's monthly per capita tax to an account that the International Secretary-Treasurer shall maintain and disburse as provided for in Section 5 of Article V of the International Constitution.

b. Should at any time the general funds of the International Union fail to meet its expenses, the International Executive Board may increase the per capita tax in the amount necessary to meet the financial requirements.

c. If the per capita tax is raised as herein provided, the monthly and/or hourly Local Union dues of each and every member of the International Union shall automatically be increased in the amount of the per capita tax increase enacted. Any such increase in the per capita tax shall remain in effect until the next International convention.

Section 4. The regular dues and any special assessments operative in a Local Union shall be assumed by a transferred member, immediately upon such transfer being made.

Section 5. Whenever a member shall have been expelled and thereafter again applied for initiation, he shall be treated as a new member and pay the same amount to the Local Union required to be paid by a new member. His application for membership shall be submitted to the International Secretary-Treasurer, together with a fee equal to ten percent (10%) of the Local Union fee, but not less than the sum of \$25.00 or such other amount as may have been determined under this Constitution. This shall not, however, relieve an expelled member of the duty to pay any fines or penalties imposed upon said expelled member at the time or prior to this expulsion.

Section 6. Whenever a member has been removed from the membership roll for non-payment of dues, he shall pay in addition to any other obligations, to the International Union a re-enrollment fee of \$10.00. Such payment shall be made to the Local Union which shall remit it to the International Secretary-Treasurer.

Section 7. Unless otherwise herein determined or prohibited,

nothing herein contained shall be construed to limit or fix the fees due or payable to the Local Unions; provided, however, that all income derived by Local Unions from any source whatsoever shall be accounted for under the official receipt system and shall be used only to defray necessary operating expenses, and except that this limitation on the use of Local Union income shall not apply to assessments which may be levied by Local Unions for specific purposes or to the payment by Local Unions of the per capita tax for any of their members who may be sick or disabled. Necessary operating expenses shall not be construed to mean gifts, donations or loans of any kind or nature whatsoever.

Section 8. Whenever a member shall have been expelled and is indebted for any unpaid fines or penalties to his Local Union and thereafter if he shall apply to any other Local Union for initiation, such unpaid fines or penalties shall not impair his right to initiation unless the Local Union to which such fines or penalties are due shall have reasonably notified the International Secretary-Treasurer.

Section 9. No officer, delegate, representative or member shall be exempt from his obligation to pay dues and such officer, delegate, representative or member shall not be given credit for the payment of dues in return for services rendered. Services rendered shall be compensated by the issuance of a check by the Local Union obligated to pay same after the services have been rendered.

Section 10. The term member in good standing or member in continuous good standing shall include the payment of all dues and other outstanding obligations as provided for in the Constitution and By-Laws and in addition such member shall not have been removed by action of any tribunal for misconduct or violation under the Constitution and By-Laws of this International Union or the Constitution and By-Laws of the Local Union of which he is a member. To be a member in good standing, all dues and other outstanding obligations of such member must be paid on or before the last day of the third month after the due date. Any member who has not paid such dues or obligations in the manner set forth above is not a member in good standing and is removed from the rolls.

In the event a member elects to pay his dues or other outstanding obligations by mail, the effective date of such payment shall be the first business day on which it is received by the local union.

It is the duty of each member to see that his dues and obligations due to this International Union are promptly paid and no one else may be held accountable for the payment or collection of such monies.

A member who has been removed from the membership rolls for non-payment of dues, as provided herein, and who within three months after the date of such removal pays an amount equal to all of his unpaid dues plus the re-enrollment fee required of him becomes in good standing on the date of such re-enrollment as though he had never been removed from the membership roll. If such a member shall fail to re-enroll himself within said period, such member shall be expelled. If he shall thereafter be initiated again as a new member, he shall not acquire as such new member, any rights because of his previous membership.

Section 11. Notwithstanding any other provision of this Article, the International Executive Board shall have the authority, upon the recommendation of the International President, to set an Initiation and/or Per capita fee different from but not to exceed that specified in this Article for the purpose of aiding or assisting in the organizing and servicing of Allied Workers referred to in this Constitution.

Section 12a. Effective July 1, 2009 and thereafter each member of the International Union and/or a bargaining unit who is employed under an agreement to which the International Union or an affiliated subordinate body of the International is signatory or party to shall pay monthly International Work Dues to the International, in addition to the per capita tax set out in Section 3(a) above, in an amount equal to \$0.11 per hour for each hour worked during the preceding month and effective July 1, 2014, \$0.13 per hour for each hour worked during the preceding month.

Section 12b. Subject to such rules, regulations and exceptions as shall be made by resolution of the International Executive Board, payment of International Work Dues and per capita tax shall be made

through the member's Local at such times and by such lawful and necessary methods as shall be determined from time to time by the International Executive Board; provided, however, that any change or modification by the International Executive Board shall be in writing and directly delivered to the Local(s) and/or member(s).

Section 12c. It shall be the obligation of each affiliated subordinate body of the International to negotiate an appropriate and lawful check-off provision in each collective bargaining agreement to effect payment of the International Work Dues; provided that the obligation to make such payment shall be the member's obligation and shall not be affected by the failure to obtain or arrange check-off.

Section 12d. Any issue, dispute or claim relating to International Work Dues including matters arising or relating to the amount, method of payment and/or compliance with this Section shall be submitted to the International Executive Board for final and binding resolution.

ARTICLE VI

Official Receipt System

Section 1. The officers and employees of each Local Union, whether elected, appointed or hired who are designated to receive funds for such Local Union shall be bonded by a responsible corporate surety company. Such bond shall be in a form and manner suitable to the International Executive Board and in an amount adequate to protect the funds of each Local Union, based upon the trustees' annual report filed by the Local Union with the International Office for the most recent full year. It shall be the duty of the International Secretary-Treasurer to secure and maintain such bond in effect and the premium thereon shall be paid by the International Union.

When a change occurs in an office, it shall be the duty of the Local Union Secretary to immediately notify the International Secretary-Treasurer of such change.

Any Local Union and any officer thereof failing to comply with any of the requirements herein set forth in this Article shall be liable to

revocation of the charter or removal from office, or both, pending such compliance.

Section 2. Each Local Union must institute and maintain quarterly and annual audits of its books and records. Such audits shall be made by an Auditing Committee, sometimes known as Trustees, appointed or elected by such Local Union, and such Committee must report its findings and audits within thirty (30) days following the end of each quarter to the International Secretary-Treasurer, provided, however, that a Local Union may use the report of an independent accountant in lieu of the Auditing Committee's report. Such report must be made on a format acceptable by the International Secretary-Treasurer.

It shall be the duty of the Local Union President to ascertain that such reports are made to the International Secretary-Treasurer.

Each Local Union must submit to the International Secretary-Treasurer, copies of the Disbursement and Distribution Journal, or other disbursement records determined to be appropriate by the International Secretary-Treasurer, within thirty (30) days following the end of each quarter.

Section 3. There shall be in effect only one system of recording all money transactions between members of the various Local Unions and this International Union. All such transactions shall be recorded by such manner, method and uniformed system as is determined to be appropriate by the International Secretary-Treasurer upon proper notice to all members and Local Unions. Such uniform system once established may be changed or modified by the International Secretary-Treasurer upon approval of the International President and the International Executive Board and upon sufficient and appropriate notice to members and Local Unions.

Section 4. Responsibility for establishing and maintaining good standing in accordance with the Constitution and these By-Laws rests entirely with each individual member. The actual payment of dues and other obligations by such member when properly acknowledged and recorded on an official receipt is the only recognized and acceptable evidence of such transaction.

Section 5. In the event a Local Union Secretary shall fail to forward the official receipts or becomes derelict in his duties in any other matters, he shall be subject to fine or expulsion.

Section 6. Each official receipt shall clearly record the name and Social Security number of the applicant and/or person and/or the name and membership number of the member, the actual payment date, the correct amount of money paid and the application of such money properly indicated.

In the event a member elects to pay his dues or other outstanding obligations by mail, the effective date of such payment shall be the first business day on which it is received by the Local Union.

Section 7. In the event an error is made in issuing official receipts, such erroneous receipt shall be marked "void" and forwarded to the International Secretary-Treasurer with the next month's remittance.

Section 8. No applicant for membership shall be entitled to credit for a greater amount of initiation or administrative fee than is recorded on the official receipt.

Section 9. Local Union dues and International Union per capita tax and Burial Benefit Tax shall be paid beginning with the month in which initiation is properly recorded and acknowledged by the International Secretary-Treasurer. The period of continuous good standing which may be required to be determined shall be determined by the records of the Official Receipt System and this shall be binding in all events upon all members of all Local Unions.

Section 10. The Official Receipt Book of each Local Union shall be closed on the last day of each month, and the Secretary shall immediately notify the International Secretary-Treasurer of the names of all members who are then three months in arrears in the payment of any dues or obligations, and such member shall thereupon stand removed from the membership rolls without further notice, provided, however, that this section shall not be construed to extend the time fixed for the payment of current dues or obligations so as to prevent a local union from enforcing the provisions of a valid union security clause contained in any collective bargaining agreement in effect between said Local Union and an employer.

The Secretary shall forward to the International Secretary-Treasurer a duplicate of all official receipts issued by him or by any other duly authorized person who has collected any monies to and including the last day of each month, accompanied by the monthly report and an express or postal money order or bank draft for the amount of the per capita tax, fees, fines and assessments which may be due to the International Union and all such remittances shall reach the International Secretary-Treasurer not later than the tenth day of the following month. Failure to comply with this provision may result in a forfeiture of the Local Union's charter, the loss in continuous good standing of its members, and/or their suspension or removal from the rolls.

Section 11. No extension of time may be granted to any delinquent member. Whenever back dues are paid, the official receipt shall show the actual date of payment and no other date. Back-dating shall void any official receipt. The International Secretary-Treasurer shall provide a method for designation of a member in good standing.

Section 12. Except as otherwise expressly provided in the Constitution and By-Laws, a member who is removed from the membership roll forfeits all previous standing, rights, equities, privileges and benefits (including burial benefits), and shall not be permitted to participate in any meeting. A member removed from the membership rolls for non-payment of dues shall be reinstated only upon payment of the full amount of money due within the prescribed period.

Section 13. The Secretary, at the time of submitting his monthly report to the International Secretary-Treasurer, shall also submit a record of all initiations, re-enrollments, transfer cards issued and accepted, withdrawal cards issued and accepted, members expelled or removed from the rolls, an accurate census and such other information as may be requested by the International Secretary-Treasurer in the form furnished him for such reports.

Upon receipt of such report, the International Secretary-Treasurer may thereupon submit to the Local Union a list of members expelled or removed from the membership rolls for failure to pay obligations imposed upon such members.

Section 14. Each Local Union shall deposit all money received in the name of the Local Union in a bank approved by the Local Union and all bills shall be paid by check or electronic payment, except such amounts which may be paid from a petty cash fund, such petty cash fund to be replenished as needed by check from the general fund.

Section 15. The monthly report of the Local Union Secretary shall be accompanied by payment in the proper amount so as to keep in balance that Local Union's account with the International Office. Credit balances due Local Unions and held at the office of the International Secretary-Treasurer cannot be applied to payments for initiation, re-enrollments or per capita tax unless official receipts have been issued by the Local Union showing actual payment of obligations due the Local Union and such official receipts have been filed with the International Secretary-Treasurer.

Section 16. Local Union officers are authorized to forward to the International Secretary-Treasurer all payments of per capita tax, fees and other obligations due the International Union and shall not wait for a meeting of the Local Union to authorize such payments.

ARTICLE VII

Transfers

Section 1. Any member in good standing who desires to accept employment in the jurisdiction of a Local Union other than that of which he is a member shall apply to the Secretary of his Local Union for an official transfer card. No fee or service charge shall be requested of any member by the Local Union for such a transfer card.

Section 2. The official transfer card shall be issued in the form and manner prescribed by the International Secretary-Treasurer and shall be valid for a period of sixty (60) days from the date of issue and shall thereupon become void unless properly deposited and accepted by another Local Union within such time.

The official transfer card shall, at the time of issuance, show the date the member was initiated by the International Union and the classification of said member.

Section 3. A member against whom any charges are pending or who has already been cited, summoned or notified to appear for any scheduled hearing or trial as complainant or defendant shall not be entitled to a transfer card while any of such matters are pending. No member shall be entitled to a transfer card unless all of his obligations for fees, fines and assessments due to the International Union and to the Local Union are paid at least sixty (60) days prior to the request for a transfer card, and dues to the Local Union are paid in full, including dues for the month in which the transfer card is issued.

Section 4. The Secretary of each Local Union is authorized and obliged to issue transfer cards if the applicant thereof is entitled to such transfer card, without any further action. Such transfer card shall be issued without undue delay and shall bear the signature of the Secretary together with the seal of the Local Union, and shall be endorsed in the space provided thereon by the applicant. A Local Union which does not have an apprentice training system shall not be allowed to accept such apprentice to its membership.

Section 5. When a member of one Local Union enters the jurisdiction of another Local Union, he shall immediately report to the Business Representative, President, or Secretary and shall present his official dues receipt and deposit his transfer card before seeking or accepting employment within such jurisdiction.

Section 6. When depositing such transfer card such member shall provide the Local Union with his address, and shall advise such Local Union of any change during his stay in that jurisdiction.

Section 7. Should a member holding a transfer card not have deposited it within sixty (60) days with any other Local Union, and should he still desire to seek employment in the jurisdiction of another Local Union, he shall apply to the Secretary of his Local Union for a new transfer card, which new transfer card shall be issued upon the surrender of the old and upon the payment of all dues and obligations in a like manner and form prescribed for the issuance of a transfer card.

Section 8. Until such time as a transfer card is deposited by a

member holding same, he is for all purposes a member of the Local Union from which he received such transfer card and he shall be subject to all provisions of the Constitution and By-Laws as such a member.

Section 9. A member who transfers his membership from one Local Union to another within a period of less than three (3) years from time of becoming a member shall be required to pay the difference, if any, in the initiation fee.

a. When a member who has, prior to the date of transfer, actually paid an established initiation fee equal to or greater than that of the Local Union in which his transfer card has been deposited, he shall be accepted without the payment of any additional initiation fee.

b. A Local Union whose Constitution and By-Laws require an applicant to pass an established examination of his mechanical ability and competence to perform the work of the craft, may require a member of the International Union of less than three (3) years' duration who seeks to deposit a transfer or withdrawal card to pass said established examination as to that member's mechanical ability and competence to perform the work of the crafts.

Section 10. Any member who desires to leave the jurisdiction of a Local Union with which his transfer card has been properly deposited and accepted, before the payment of the difference between the initiation fee of the Local Union which he left and the Local Union to which he transferred, shall be granted a transfer card with credit for any part of the amount of the difference which he has paid, provided, however, he shall be subject to all the other provisions relating to the issuance of a transfer card.

Section 11. Whenever a transfer card is deposited with a Local Union, the Secretary thereof shall complete the execution of such transfer card and shall forward same to the International Secretary-Treasurer.

Section 12. All transfers shall be cleared and recorded by the International Secretary-Treasurer and when so cleared and recorded he shall notify the Local Union issuing the transfer card.

Section 13. The transfer card of any member when properly pre-

sented and deposited shall be accepted by every other Local Union in accordance with the provisions hereof, except in localities where strikes or lockouts exist.

Section 14. All transfer cards which certify to a false credit of initiation fee shall be void.

Section 15. All transfer cards issued by or accepted by a Local Union contrary to provisions hereof shall be void and members involved shall assume full responsibility and liability for any jeopardy or loss of standing as a result of such transactions.

Section 16. Any member of a Local Union who enters the jurisdiction of another Local Union and seeks or accepts employment in said jurisdiction without first reporting to the Secretary, Business Representative or President, and does not deposit his transfer card shall stand trial, pursuant to the provisions of Article IX of the International Constitution.

Section 17. In any and all cases where a member procures and attempts to deposit a transfer card in violation of the provisions, requirements, purpose and intent hereof, such member shall be subject to fine or expulsion by the Local Union issuing the transfer card.

Section 18. Any member or officer who violates, ignores, or attempts to evade any section of this Article relating to transfer of membership and employment in the jurisdiction of another Local Union shall be subject to charges and shall be tried by the International Executive Board.

Section 19. In the event a member has paid his dues in advance to the Local Union of which he is a member, and secures a transfer card which he deposits with another Local Union, the Local Union to which the dues were paid in advance, shall transfer such dues so paid in advance, less the per capita tax already paid to the International Union, to the Local Union to which the member has transferred; and the Local Union to which he has transferred shall credit such amount against the member's net dues, less per capita tax already paid to the International Union.

Section 20. Whenever a Local Union has authorized or is on strike, a transfer card will not be issued to any member of that local.

ARTICLE VIII

Withdrawals

Section 1. Any member desiring to receive an honorable withdrawal shall apply for and be granted such withdrawal upon payment of a twenty-five dollar (\$25.00) fee and upon compliance with all obligations and procedures provided for. Five dollars (\$5.00) of said fee shall be forwarded to the International Office, and the remaining twenty dollars (\$20.00) of the fee shall be retained by the Local Union office.

Section 2. A member against whom any charges are pending or who has an outstanding fine or other penalty shall not be entitled to a withdrawal card.

A withdrawal card shall be void if not presented for deposit within twenty-four (24) full months from the date of issuance.

Section 3. When the holder of a withdrawal card desires to reinstate his withdrawal card within twelve (12) months from the date of its issuance, he shall pay to the Local Union with which he deposits his card, all dues for the period for which the card was withdrawn, and he shall then be restored to his former good standing. The Local Union shall remit his per capita tax to the International Secretary-Treasurer.

Section 4. When a holder of a withdrawal card issued more than twelve (12) months but less than twenty-four (24) full months desires to be reinstated, he shall present such withdrawal card to the Local Union in whose jurisdiction he seeks employment. Such withdrawal card shall be sent to the International Secretary-Treasurer together with the payment of the first month's per capita tax.

Section 5. When the holder of the withdrawal card is reinstated in the manner and form herein prescribed, he shall be reinstated to his former standing, except for purposes of burial benefits and continuous good standing; provided, when the member is reinstated within a period of less than one year from the date of the issuance of the withdrawal card, and has paid in full all dues and assessments for the period for which the withdrawal card was issued at the time

he deposits his withdrawal card, he shall be reinstated to his former standing for all purposes. The Secretary of the Local Union accepting the withdrawal card shall note thereon the date of its acceptance. Good standing for purposes of burial benefits and continuous membership shall not be attained unless all of these provisions have been fulfilled.

Section 6. In the event the holder of a withdrawal card shall engage in conduct which, while an active member, would have resulted in his being subject to trial and punishment under the provisions of Article IX of the International Constitution, charges may be preferred against such holder, which charges shall be heard by the International Executive Board. The provisions of said Article IX relating to notice and the methods of trial shall apply to such charges and trial. If the holder shall be found guilty, his withdrawal card shall be cancelled and he shall no longer be entitled to deposit his withdrawal card as hereinabove provided. The provisions of this section shall not apply to the holder of a withdrawal card who becomes an employer and who, while an employer, does not otherwise violate the provisions of the International Constitution and By-Laws.

Section 7. When the holder of a withdrawal card has deposited said withdrawal card with a Local Union in whose jurisdiction he seeks employment, and said withdrawal card has been sent to the International Secretary-Treasurer as provided in Sections 3 and 4 hereof, the International Secretary-Treasurer shall notify the Local Union issuing the withdrawal card.

Section 8. Whenever a Local Union has authorized or is on strike, a withdrawal card will not be issued to any member of that local.

ARTICLE IX

Direct Affiliation

Section 1. There shall be established a Local Union numbered Local Union No. 103 for the purpose of direct affiliation. The qualifications for membership shall be determined by the International Executive Board and the dues and other obligations shall be fixed from

time to time by the International Executive Board. All of the rules and regulations relating to such Local Union shall be determined by the International Executive Board. A member of Local Union No. 103 shall, nevertheless, have the same rights as any other member of any other Local Union affiliated with the International Union.

ARTICLE X

Trusteeship

Section 1. Whenever the International President shall impose a trusteeship upon a Local Union or other subordinate body affiliated with the International Union, the officers and representatives of said Local Union or subordinate body shall stand suspended from office and shall function subject to the supervision and direction of the trustee appointed by the International President until the trusteeship is terminated.

Section 2. The International President shall, within seven (7) days of the imposition of a trusteeship, mail notice of the action taken to all members of the International Executive Board.

Section 3. Within ninety (90) days after the imposition of such trusteeship, the International President shall cause written notice to be served in person or by certified mail upon the Local Union or subordinate body and any officers, representatives or members thereof who have been suspended, fixing the date for a hearing to be convened within sixty (60) days from the date of said notice.

The International President shall appoint one or more persons to act as hearing officers on behalf of the International Executive Board, and such hearing officer or officers shall conduct a hearing in the vicinity of the Local Union or subordinate body involved.

Section 4. The International Executive Board may in its own discretion render an opinion solely on the basis of the hearing officer's report or may direct further inquiry to be held for the purpose of rendering their decision. The International Executive Board may decide to continue or discontinue any existing trusteeship or suspension and may restore any officers, representatives or members to their

original status if such suspension has been found to be unwarranted. In the case of reinstatement of officers, such reinstatement shall be for the unexpired term of their office. The International Executive Board shall further have the authority to revoke the charter of a Local Union under trusteeship if it should decide that it is in the best interest of the members of the Local Union or of the International Union. In the event of such revocation, the provisions of Section 2, Article XII, of the International Constitution shall apply.

Anything to the contrary herein notwithstanding, the International Executive Board shall have the right at any time and from time-to-time to review trusteeships and take such action as may be indicated.

Section 5. Upon the termination of a trusteeship of a Local Union or other subordinate body, such Local Union or subordinate body shall be provided transitional supervision for a period not to exceed twelve (12) months from the date of termination of the trusteeship.

Section 6. A Local Union or other subordinate body, upon action of the International Executive Board, is to bear any part or all of the expenses incurred in connection with the imposition, servicing, administration and termination of the trusteeship, including any and all matters arising therefrom.

Certification

I hereby certify that, to the best of my knowledge, the foregoing is a true copy of the law, as amended at the 28th Convention, held October 14-18, 2013, in Las Vegas, Nevada.

International Secretary-Treasurer
ROBERT J. DANLEY

RITUALS

INSTALLATION OF OFFICERS

THE WARDEN will assemble the officers-elect, standing in a semi-circle facing the rostrum.

CHAIRMAN: (Three raps of gavel — all persons in the hall shall stand and remain standing during the entire ceremony.)

CHAIRMAN: (READ to officers-elect)

“Gentlemen, this organization, having confidence in your ability, integrity and moral character, has by their individual franchises, intelligently and legally exercised, declared you worthy of the honor and fit subjects to encumber the office to which you have been elected; you will now elevate your right hand and repeat after me the following;

(OFFICERS-ELECT repeat with the chairman)

“I (give name), do hereby solemnly pledge my honor as a man that I will faithfully discharge the duties of my office of this Union; that I will support the Constitution of the United Union of Roofers, Waterproofers and Allied Workers, Local No..... and its laws and the laws of the International Union, and that I will enforce the same to the best of my ability without prejudice or partiality.

“I further declare that I am not a member of or in any manner affiliated with any subversive organization. I promise that while a member of this Union I will not become a member of, or in any manner affiliate with, any such subversive organization.”

(Have hands lowered.)

CHAIRMAN: (Read to entire assembly.)

“Gentlemen, you have witnessed this obligation as administered and assumed. It becomes your duty to zealously guard and protect these officers in their duties, and also to immediately bring to their sense of responsibility any violation thereof.

“By the virtue of the authority vested in me by your International Union, the United Union of Roofers, Waterproofers and Allied Workers, I now pronounce you the legal officers of this union. You will immediately take possession of, and occupy, the office to which you have been elected. You will administer and execute the mandates of this Union as prescribed in the International Constitution and By-Laws until such time as your successor in office has been properly established or you are relieved of your duties.”

CHAIRMAN: (One rap of gavel. All be seated.)

INITIATION OF MEMBERS

THE WARDEN will bring the candidate/s to a position directly in front of the rostrum, then have all candidates face the members in the hall.

PRESIDENT:

“Gentlemen, it is my pleasure to present the candidates (give each candidate’s name, left to right). Your committee has diligently and fully investigated the moral charter, the mechanical ability and honesty of belief in union principles of the candidate/s for membership in this union.

“They have declared their intention to uphold and assist in the furthering of the traditions, principles and aims of organized labor.”

(Have candidate/s turn around and face the President.)

PRESIDENT: (Three raps of gavel - all persons in hall shall stand and remain standing during the balance of the ceremony.)

PRESIDENT: (Read to candidate):

“Gentlemen, in the obligation you are about to assume, there is nothing but that which fosters the amalgamation of individual efforts into collective efforts for the advancement of the trades of this union. With that understanding you will now elevate your right hand and recite with me the following obligation, using your name where I use my name:

(CANDIDATE/S: Repeat with the President.)

“I, (give name), in the presence of the members of this Union, promise and pledge my sacred word of honor without reservation or evasion that I will support the Constitution and By-Laws of this Union and the International Union; that I will never allow matters of political or religious differences to interfere with the discharge of my duties of this Union; that I will never reveal any of the private business of the Union and the International Union to anyone not entitled to know the same.

“I also promise that I will not knowingly wrong a member or see one wronged without giving him due notice if in my power to do so; that I will keep inviolate the traditional principles of the American laborer; to be respectful in word and considerate to the weak and de-

fenseless, and never discriminate against a fellow-worker. I further promise to defend freedom of thought and Trade Union principles, and to purchase all union-made goods when in my power to do so.

“I further declare that I am not a member of or in any manner affiliated with any subversive organization. I promise that while a member of this Union, I will not become a member of, or in any manner affiliated with, any such subversive organization.”

PRESIDENT: (One rap of gavel. All be seated.)

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