



**By-Laws**

**LOCAL 640**

**UTILITY WORKERS UNION OF AMERICA,**

**AFL-CIO**

January 14, 2011

**ARTICLE I  
NAME AND AFFILIATION**

**Section 1.** This organization shall be known as Local 640 of the Utility Workers Union of America, AFL-CIO.

**ARTICLE II  
JURISDICTION AND OBJECTIVES**

**Section 1.** The jurisdiction of Local 640 includes all employees of American Water Company in Alton, Illinois and Pensacola, Florida for whom Local 640 has or may acquire representational rights. The jurisdiction of Local 640 such other employees with utility industries who may be organized into Local 640.

**Section 2.** The objectives of Local 640 are:

(a) To unite in this Local, regardless of race, creed, disability, color, sex, or national origin, all workers who are eligible for membership.

(b) Through united action, to protect, maintain, and advance the common interests of the members, to create better working conditions, to promote higher standards of living, and to secure legislation and regulation favorable to our members and our communities which promotes reliable, safe, environmentally sound and affordable utilities.

(c) To secure legislation safeguarding the economic security and social welfare of the workers in the utility industries, to protect and extend our democratic institutions and civil rights and liberties and thus to perpetuate the cherished traditions of our democracy.

**ARTICLE III  
MEMBERSHIP**

**Section 1.** The membership of this Local shall be comprised of employees who are engaged in work in the jurisdiction of Local 640 and who are eligible for membership under the Constitution of the Utility Workers Union of America.

**Section 2.** All applicants for membership shall be required to sign an application for membership card and to pay the established initiation fee, which is currently \$10.00. Acceptance into membership shall be effective retroactive to the date the application was received by the Local.

**Section 3.** Monthly membership dues currently are \$33.08. In order to facilitate the collection of dues, the Local shall endeavor to have all members subscribe to the practice of having

their dues deducted from their paychecks. Future adjustments in dues shall comply with the National Constitution.

**Section 4.** In order that the Local may be governed by the democratic rule of the members, each member shall do his/her best to attend all the regular and special membership meetings of the Local.

#### **ARTICLE IV MEMBERSHIP MEETINGS**

**Section 1.** Regular District membership meetings will be held on the second Thursday of each month in Pensacola and in Alton. There will be no regular membership meetings in June, July and August.

**Section 2.** Regular membership meetings will ordinarily be at 7:00 p.m. The President or respective District Vice-President who chairs the meetings may vary the time and location of meetings to facilitate membership participation.

**Section 3.** Special District membership meetings will be called by the President or respective District Vice-President in his/her discretion or upon written request of a majority of the Joint Executive Board.

**Section 4.** The members present at a District membership meeting constitute a quorum.

**Section 5.** Each District Recording Secretary is responsible to provide at least 7 days advance notice of all regular District membership meetings. The President or respective District Vice-President who chairs District membership meetings is responsible to provide reasonable advance notice of any special District membership meeting.

**Section 6.** The regular order of business, which may be changed by a vote of the members, is set forth below.

1. Call to Order
2. Pledge of Allegiance
3. Introduction of Officers
4. Report of the Chair (i.e. President or respective District Vice-President)
5. Report of the Chief Steward
6. Special Communications
7. Old Business
8. New Business
9. Good and Welfare
10. Adjournment

**Section 7.** Roberts Rules will govern District membership meetings.

**ARTICLE V  
OFFICERS AND DEPARTMENT STEWARDS**

**Section 1. Officers.** The Officers of Local 640 are listed below.

- (a) **President.** Any member in good standing is eligible to be nominated as President.
- (b) **Treasurer.** Any member in good standing is eligible to be nominated for Treasurer.
- (c) **Alton District.** Vice-President, Recording Secretary, Chief Steward and 2 Trustees. Any member in good standing employed in Alton is eligible to be nominated for these offices.
- (d) **Pensacola District.** Vice-President, Recording Secretary, Chief Steward and 2 Trustees. Any member in good standing employed in Pensacola is eligible to be nominated for these offices.

**Section 2. Voting for Officers.** The entire membership may vote for President and Treasurer. The Alton membership may vote for Alton District Officers. The Pensacola membership may vote for Pensacola District Officers.

**Section 3. Department Stewards.** The President may appoint department stewards as needed subject to approval by the Joint Executive Board. Where necessary, the President may remove a department steward subject to approval by the Joint Executive Board.

**ARTICLE VI  
AUTHORITY AND DUTIES OF OFFICERS**

**Section 1. President.** The President is the chief executive officer and principal representative of the Local. The President generally supervises the affairs of the Local. The President is responsible to interpret and to enforce the Local By-Laws subject to approval by the Joint Executive Board. The President may appoint establish special committees to advance the legitimate objects of the Local. The President shall be an *ex officio* member of all committees and coordinate committee work, except the Election Committee. The President will sign all checks. The President will have such other authority as the office requires, consistent with the Local By-Laws and the National Constitution. The President will be a representative/delegate to all conferences to which the Local sends representatives/delegates. The President will be a delegate to the National UWUA Convention.

**Section 2. Treasurer.** The Treasurer is responsible for the financial records of Local

640. The Treasurer will receive and collect all moneys due the Local. He/she shall pay all bills authorized by the Local in a timely fashion. He/she shall pay all per capita taxes to the National and any labor councils with which the Local may be affiliated. He/she shall promptly deposit all moneys in the bank. The Treasurer will maintain and preserve proper books and records of the finances of the Local. Such books and records at all times will be subject to inspection by the President and the Joint Executive Board. The Treasurer will provide a financial report at its regular meeting of the Joint Executive Board. The Treasurer will submit all books and records of the Local for semi-annual examination by the Trustees. The Treasurer will sign checks with the President. The Treasurer will be responsible for filing with federal and state agencies all financial reports and information required by law. The Treasurer shall have the audit of the Local's financial records performed by the Trustees every 6 months and sent to the Secretary-Treasurer of the National. The Treasurer will be a delegate to the National UWUA Convention.

**Section 3. District Vice-Presidents.** The Pensacola Vice President (if the President is from Alton) or the Alton Vice-President (if the President is from Pensacola) will preside over District Board meetings and District membership meetings. Such Vice President will be responsible for properly documenting any expenditures by his/her District. The District Vice-President will perform such other duties as may be assigned by the President.

- (a) The District Vice-President who is from the same District as the President may, in the absence of the Treasurer, counter-sign checks with the President
- (b) The District Vice-President who is not from the same District as the President will be a delegate to the National UWUA Convention

**Section 4. District Recording Secretaries.** The Recording Secretary of each District will make a record of all District Board meetings and District membership meetings. The Recording Secretary will perform such other duties as may be assigned by the President. Each Recording Secretary will be responsible for maintaining an adequate supply of materials necessary for the Union to carry out its business.

**Section 5. District Trustees.** The District Trustees, 2 from Alton and 2 from Pensacola, shall audit the financial books and records of the Local semi-annually. The Trustees will ensure that all bookkeeping is current and that all expenditures are properly documented and authorized. The Trustees will conduct their audit at the District of the Treasurer. Reasonable, necessary and documented expense incurred by the Trustees will be paid by the Local. Following their semi-annual review of the Local's books, records and expenditures, the Trustees will report their findings at the next regular Joint Executive Board meeting.

**Section 6. District Chief Stewards.** The Chief Steward of each District shall be responsible to supervise the processing of all grievances and to maintain files on all grievances. The Chief Steward will assist departmental stewards in the filing and processing of grievances. The Chief Steward will report on the status of all grievances at each regular meeting of the his/her District Board and at each regular meeting of the Joint Executive Board.

**Section 7. Responsibility Of Officers To Attend Meetings.** It is the responsibility of each Officer to attend all meetings of the Joint Executive Board and all District Board and District membership meetings in his/her District. An Officer who is unable to attend any such meeting for a legitimate reason must notify the Chair of such meeting of the reason for his/her absence.

## **ARTICLE VII JOINT EXECUTIVE BOARD AND DISTRICT BOARDS**

**Section 1. Joint Executive Board.** The Joint Executive Board is comprised of the President, the Treasurer, and all District Officers. The Joint Executive Board is the highest authority of the Local between meetings of the membership.

**Section 2.** The President presides over all meetings of the Joint Executive Board. A majority of the Joint Executive Board constitutes a quorum.

**Section 3.** The Joint Executive Board will have regular meetings at least once every quarter. The President will develop procedures to facilitate Joint Executive Board meetings, including conducting meetings by conference call. At least 7 days advance notice will be provided of all regular meetings of the Joint Executive Board.

**Section 4.** All actions by the President and Treasurer will be reported to and subject approval and ratification by the Joint Executive Board.

**Section 5.** The President shall call special meetings of the Joint Executive Board at his/her discretion or upon written request of a majority of the Joint Executive Board. There will be a minimum of 48 hours notice provided to all Board members of any special meeting of the Joint Executive Board.

**Section 6. District Boards.** The Alton District and the Pensacola District each shall have a District Board comprised of their respective District Vice President, Recording Secretary, Trustees and Chief Steward. Additionally, the President and the Treasurer shall each be a member or the District Board in their respective District. Each District Board will have a regular meeting once every month.

**Section 7.** The President chairs the District Board meetings in his/her District. The Pensacola District Vice President (if the President is from Alton) or the Alton District Vice President (if the President is from Pensacola) chairs the District Board meetings in his/her District. The Chair will provide reasonable advance notice of all regular or special District Board meetings.

**Section 8.** The President may call a special meeting of a District Board.

**Section 9.** All actions by the respective District Boards will be reported to, and subject to approval or ratification by, the Joint Executive Board.

**Section 10.** The regular order of business at Joint Executive Board meetings and at District Board meetings, which may be changed by a vote of the members, is set forth below.

1. Call to Order
2. Pledge of Allegiance
3. Introduction of Officers
4. Report of the Chair (i.e. President or respective District Vice-President)
5. Report of the Chief Steward
6. Special Communications
7. Old Business
8. New Business
9. Good and Welfare
10. Adjournment

**Section 11.** Roberts Rules will govern Joint Executive Board and District Board meetings.

## **ARTICLE VIII FINANCES, ALLOWANCES AND EXPENSES**

**Section 1.** All checks must be signed by the President and counter-signed by the Treasurer or, in the absence of the Treasurer, by the authorized District Vice-President.

**Section 2.** The Local will compensate any member authorized to perform services for the Union for any lost time wages, meals, lodgings and transportation, including mileage for use of her/his personal vehicle. Such expenses must be properly documented. Lost time wages shall be limited to the standard 8 hour day without overtime premiums.

**Section 3.** Any non-routine expenditure over \$500.00 or any major business decision affecting the Local is subject to prior approval by the Joint Executive Board.

**Section 4.** Any stipend or allowance for Officers is subject to prior approval by the Joint Executive Board.

**Section 5.** If the Treasurer is from Alton, the Pensacola District may have a bank account of no more than \$1,000.00 for minor expenses. All reimbursed expenses must be reasonable, necessary and properly documented. Checks drawn on this account must be co-signed by the Pensacola Vice-President and Recording Secretary. The Joint Executive Board has supervisory authority over this arrangement.

**Section 6.** The Locals Officers will be bonded in accordance with the provisions of the National UWUA Constitution.

**ARTICLE IX  
NOMINATIONS, ELECTIONS AND VOTING PROCEDURES**

**Section 1.** All Officers shall be elected by the membership by secret ballot vote.

**Section 2.** The term of office is 3 years beginning the second Thursday of June of an election year.

**Section 3.** Not less than 30 days prior April 1 of an election year, the President will appoint 4 members, 2 from Alton and 2 from Pensacola, to serve as an Election Committee. The President will designate the Chair of the Election Committee. The appointment of the Election Committee will be subject to approval of the Joint Executive Board. A member of the Election Committee may not be a candidate for office.

**Section 4.** The Election Committee will be responsible for conducting a fair, democratic and orderly election in compliance with these By-Laws, the National UWUA Constitution and the Labor-Management Reporting and Disclosure Act. The Election Committee, in consultation with the President, will develop and administer any additional election guidelines.

**Section 5.** Nominations for all offices will take place at the April District membership meetings in the election year. Not less than 15 days prior to the April District membership meetings, a Notice of Election and Nominations shall be mailed to each member's last known address.

**Section 6.** Any member in good standing may nominate a candidate for office, including him/herself.

**Section 7.** A nominee must provide written acceptance of nomination to the Election Committee within 7 days after the date of nominations. A nominee who is present at the nomination meeting may provide written acceptance at that meeting.

**Section 8.** No member may accept nomination for more than 1 office. Write-in candidates will not be accepted.

**Section 9.** The Election Committee will determine the order in which candidates are listed on the ballot by drawing lots.

**Section 10.** The election will be conducted on the fourth Thursday in May of the election year. The Election Committee will supervise the voting and the counting of ballots in Alton and in Pensacola.

**Section 11.** Each candidate shall be entitled to have one observer/challenger present at the counting of the ballots. The candidates shall pay the expense of such challengers.

**Section 12.** Candidates for all offices will be elected by a plurality of valid votes cast for

such offices (i.e., the candidate with the most votes wins the election for each office).

**Section 13.** Upon the completion of the vote, the Chairperson shall seal the election records and give them to the Treasurer for safekeeping. The ballots and all other records of the election will be preserved in the Local files for a period of 1 year.

**Section 14.** Newly elected Officers will be installed in office on the second Thursday of June of an election year. Each outgoing Officer will acquaint the successor with the functions of his/her office.

**Section 15.** Each newly elected Officer will sign the following pledge when he/she takes office:

I promise to perform the duties of my office as required by the Local 640 By-Laws and the UWUA Constitution and to bear faithful allegiance to the Utility Workers Union of America. I will deliver to my successor in office all books, papers, records and other property of Local 640 that may be in my possession at the end of my term of office.

**Section 16.** Each outgoing officer will deliver to Local 640 all books, papers and other property of Local 640 that may be in his/her possession immediately after the end of his/her term.

## **ARTICLE X VACANCIES IN OFFICES**

**Section 1.** If the office of President becomes vacant for any reason, the Treasurer will become President for the balance of the term.

**Section 2.** If any other office (i.e. other than President) becomes vacant for any reason, the President will appoint, subject to the approval of the Joint Executive Board, a member to fill such office for the balance of the term.

**Section 3.** A member filling a vacancy must be eligible under Article V.

## **ARTICLE XI STANDING COMMITTEES**

**Section 1. Bargaining Committee.** The Bargaining Committee shall consist of the President and the District Vice President, Recording Secretary and Chief Steward of the District involved in bargaining, and such other members as may be appointed by the President.

**Section 2. Grievance Committee.** The Grievance Committee for the Alton District shall consist of the President and Treasurer and the Alton Vice President, Recording Secretary, and Chief Steward. The Grievance Committee for the Pensacola District shall consist of the President and Treasurer and the Pensacola Vice-President, Recording Secretary and Chief Steward. Grievance Committee meetings will occur monthly and usually in conjunction with Joint Executive Board and/or District Board meetings. Department stewards will participate in Grievance Committee meetings regarding contract matters affecting members in their departments.

**Section 3. Organizing Committee.** The Organizing Committee will consist of at least 2 members appointed by the President. The President may appoint additional members as he/she deems necessary.

**Section 4. By-Law Committee.** The By-Law Committee will consist of 3 members appointed by the President, subject to approval by the Joint Executive Board. One appointee shall be a District Vice-President who will Chair the Committee.

## **ARTICLE XII CONTRACTS AND STRIKES**

**Section 1.** The affected membership of the Local shall vote on ratification of any contract or contract renewal. When a Bargaining Committee has an offer it determines warrants reporting to the members, a meeting of the affected members shall be called as soon as practicable to discuss the offer. Voting upon ratification of a proposed contract shall be by secret ballot. It shall take a majority of voting members to accept and ratify a proposed contract.

**Section 2.** The Local shall not call a strike unless the members have been notified of the consideration of such strike action and the members at a special or regular meeting, by a majority vote, authorize the Bargaining Committee to call a strike. Membership approval of strike authority may occur prior to negotiations. On being notified of the intention to strike, the National President or his representative shall immediately attempt to adjust the dispute between the Company and the Local and shall give further recommendation to the Local.

**Section 3.** No strike shall be called until the National President is notified and has given his sanction in accordance with the National Constitution. The Local, before requesting strike approval from the National President, must have membership approval of such strike action.

## **ARTICLE XIII CHARGES AND ELECTION CHALLENGES**

**Section 1. Charges and Complaints.** Except as modified by this Section 1, charges, complaints and trials will be conducted in accordance with the National Constitution. A charge or

complaint against a member is filed with the Local by mailing a copy to the President. The President (or Treasurer if the President is disqualified) will appoint a trial committee of 2-3 members in the District in which the accused is a member. The President shall consult with the District Vice President for the appointment of trial committee members when the charge(s) are within the District where the President is not located. The complainant and/or accused may not participate in the processing of a charge or a complaint.

**Section 2. Election Challenges.** Except as modified by this Section 2, election challenges will be conducted in accordance with the National Constitution. An election challenge is filed with the Local by mailing a copy to the President. The President (or Treasurer if the President is disqualified) will present the charges to the Joint Executive Board. The Joint Executive Board shall appoint an investigative committee of 2-3 members in the District where the election conduct under challenge occurred. If the challenge involves election conduct at both the Alton District and the Pensacola District, the Joint Executive Board will appoint an investigative committee of 2 persons from each District. A member whose election is challenged or who is challenging an election may not participate in the processing of an election challenge.

#### **ARTICLE XIV AMENDMENTS**

**Section 1.** Any member may propose amendments to these By-Laws by submitting such amendment(s) in writing to the President and Treasurer. Within 30 days of receipt, the President shall convene a meeting of the By-Law Committee to consider the proposed amendment(s), make minor modifications, and make a recommendation to the Joint Executive Board. The Joint Executive Board shall determine whether the proposed amendment should be considered by the membership.

**Section 2.** These By-Laws may be amended by a combined majority vote at properly called membership meetings in both Districts in the same month, providing that the proposed amendments have been read at the preceding meetings in both Districts.

**Section 3.** Any proposed amendment shall not be in conflict with the National Constitution and shall not take effect until approved by the National President as required by the National Constitution.