

UAW LOCAL 23 BYLAWS

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BYLAWS OF UAW LOCAL 23

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PREAMBLE

We, the members of UAW Local 23, recognize that working people must organize against the oppression of the ruling class in order to secure the rightful fruits of our labor. We also realize that our Local Union is a small but vital part of both the United Auto Workers International Union and the worldwide Labor Movement and that our efforts must be passed on to following generations in order to keep the working class perpetually free from the despotism of management and their insatiable greed. The Bylaws that follow are a tool to help the members of UAW Local 23 maintain the struggle against those who seek to profit from our labor.

ARTICLE 1

NAME, CONSTITUTION, FISCAL YEAR, AND MEMBERSHIP

Section 1

This Organization shall be known as Local No. 23, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW).

Section 2

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

Section 3

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

Section 4

The Local Union shall be composed of workers eligible for membership in the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), over whom the Local Union has jurisdiction.

Section 5

Each member in good standing of this Local Union has the right to nominate and vote, express opinions on all subjects before the Local Union, to attend all membership meetings and express views, arguments and opinions on all matters and business properly before the meeting, including candidates for office; to meet and assemble freely with other members and generally, to participate in the activities of the Local Union in a responsible manner consistent with good conscience in order to present and discuss factually and honestly the issues and personalities upon which the membership must base its decisions. These rights shall at all times be subject to the rules of procedure governing meetings and

other uniform rules and regulations contained in the UAW Constitution, Bylaws, and other official rules of the Local Union.

A member, in exercising the foregoing rights and privileges, shall not take any irresponsible action which would tend to jeopardize or destroy, or be detrimental to, either the Local or International Unions as organizations or their Free Democratic Heritage, or which would interfere with the performance by this Local Union or the International Union of its legal or contractual obligations as a collective bargaining agent, or interfere with the legal or contractual obligations of this Local Union as an affiliate of the International Union.

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

Section 6

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

ARTICLE 2

MEMBERSHIP MEETINGS

Section 1

Local Membership Meetings shall be held following each shift once a month on Wednesdays at the James Harvey Smith Memorial Hall. In the event the Executive Board or membership deems it practical to call a Joint Membership Meeting, it shall be held on a Sunday at one o'clock in the afternoon.

Section 2

The Executive Board may call a special meeting of the Local Union at their discretion and must clearly state the purpose of such a meeting. The only business that may be taken up at the Special Membership Meeting shall concern that stated purpose.

Section 3

All Regular Membership Meetings shall adjourn two (2) hours after they have been called to order unless extended by a two-thirds majority of the membership in attendance.

Section 4

Decisions brought to the floor in any shift meeting that affect the entire membership or the policies of the Local Union shall be placed before all shift meetings for voice and vote of all members present, and it shall take a majority of the votes from all shifts to decide the issue.

Section 5

A seven-day notice shall be given prior to each Regular Membership Meeting. Notice will be given by posting notices of same on the Union's bulletin boards throughout the plant and in the James Harvey Smith Memorial Hall.

Section 6

Proper notification shall be given to the membership of any Special Membership Meeting seven days in advance if time permits, but in no case not less than forty-eight hours.

Section 7

The order of business of Regular Membership Meetings shall be:

1. Call to order
2. Pledge of Allegiance
3. Roll Call of Elected and Appointed Officers
4. Minutes of previous Membership Meeting
5. Minutes of Executive Board Meeting(s)
6. Recording Secretary's Report
7. Financial Secretary's Report
8. President's Report
9. Chairperson of the Shop Committee's Report
10. Reports from other Officers
11. Reports from Committees
12. Unfinished Business
13. Good and Welfare
14. New Business
15. Adjournment

Section 8

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

Section 9

Robert's Rules of Order shall decide any question that arises of a parliamentary nature during the conduct of a meeting.

Section 10

Those members in attendance at Regular or Special Membership Meetings shall constitute a quorum.

ARTICLE 3

POWERS OF ADMINISTRATION

Section 1

The membership is the highest authority of this Local Union and shall be empowered to take or direct any action not inconsistent with the UAW Constitution or these Bylaws.

Section 2

Between membership meetings, the Executive Board shall be the highest authority of the Local Union and shall be empowered to act on behalf of the membership to the extent urgent business requires prompt and decisive action, subject to subsequent membership approval, but the Executive Board may not take action affecting the vital interests of the Local Union without prior membership approval. A quorum must be present to conduct such business.

Section 3

Between meetings of the Executive Board, the President shall exercise general administrative authority and shall be empowered to act on behalf of and take action permitted to the Executive Board, subject to subsequent approval, of the Executive Board.

ARTICLE 4

LOCAL UNION OFFICERS

Section 1

The Executive Officers of the Local Union shall consist of the following:
President, First Vice President, Second Vice President, Recording Secretary,
Financial Secretary-Treasurer, three (3) Trustees, Sergeant-at-Arms, and Guide.

Section 2

Should a vacancy occur in the office of President, the First Vice President would succeed to the Presidency. The office of the First Vice President would then be filled by a special election in the same way as any other vacated executive office.

Section 3

In the event of the death, resignation or removal from office of any Executive Officer or member of the Executive Board except President, arrangements will be made to hold an election to fill the vacancy as soon as possible, and the same procedure shall apply to such special elections as are used to govern the regular elections, as provided in Article 38, Section 14 of the UAW Constitution.

Section 4

Temporary appointments to fill vacancies thus created in the Executive Board may be made by the President, except in the position of President. The vacancy shall be filled in accordance with the UAW Constitution, subject to the approval of the Executive Board and/or membership. Such appointments are to be valid only for a specified period of time until the necessary arrangements are made to conduct a special or regular election to fill said vacancy or vacancies.

Section 5

The Financial Secretary-Treasurer shall have the authority to set up such rules as he or she deems necessary for the proper conduct of the affairs of his or her office, subject to the approval of the President and the Executive Board.

Section 6

The Financial Secretary-Treasurer shall post an individual listing of all lost time and the reason(s) therefore monthly.

Section 7

Any openings for Local or International Union appointments shall be posted on the Union's bulletin boards throughout the plant and in the James Harvey Smith Memorial Hall for a period of no less than seven days.

ARTICLE 5
EXECUTIVE BOARD

Section 1

The Executive Board of the Local Union shall consist of the Executive Officers listed in Article 4, Section 1 and the Chairperson of the Shop Committee and the duly elected Retiree member of the Local Union Retired Workers Chapter in accordance with Article 55 of the UAW Constitution.

Section 2

The Executive Board shall be authorized to direct payment of all ordinary and regular repetitive bills and expenses of the Local Union. The Board shall not have the authority, however, to disburse the funds of the Local Union for any other reasons in excess of \$600.00 in any one disbursement. Any such disbursement shall be reported to the next Regular Membership Meeting for approval.

Section 3

The Executive Board shall meet at least once a month.

Section 4

Special Executive Board Meetings may be called either by the President or by a majority of the Executive Board members.

Section 5

A simple majority of the Local Union's Executive Board shall constitute a quorum.

Section 6

Minutes will be taken of all Executive Board meetings by the Recording Secretary and shall be approved by the membership at the next meeting.

Section 7

All decisions and recommendations of the Executive Board shall be referred to the next Regular Membership Meeting.

Section 8

The Executive Board shall review each issue of the Local Union paper and where necessary take steps to bring the contents and policy of the paper into conformity of the International Union.

Section 9

The order of authority within the Local Union's Executive Board is the same as the ranking of Executive Board Officers according to Article 38, Section 1 of the UAW Constitution.

ARTICLE 6

COMMITTEEPERSONS

Section 1

The election of Shop Chairperson, Committeepersons-at-Large, District Shop Committeepersons, District Committeepersons, Alternate Committeepersons, Election Committee, Delegates to Councils and Delegates to Conventions and any other elections not mentioned herein, shall be held in accordance with the mandates of the membership and the provisions of the UAW Constitution.

Section 2

There shall be an election of Shop Chairperson, Committeepersons-at-Large, Committeepersons, and Alternate Committeepersons every three (3) years to be held concurrent with the Executive Board elections and shall be held by secret ballot.

Section 3

The additional members of the Shop Committee shall be elected from the District Committeepersons not later than August 1st. The election shall be conducted at the James Harvey Smith Memorial Hall by secret ballot.

Section 4

In the event a vacancy occurs in any Committeeperson or Alternate Committeeperson position, it shall be filled temporarily by appointment by the President or the Chairperson of the Shop Committee, subject to the approval of the Executive Board and/or the membership. An election will be held to fill said vacancy unless said vacancy occurs within sixty (60) days prior to the next election.

Section 5

A vote on the question of recalling a Committeeperson may be initiated by a petition setting forth the reasons why the recall is sought, and signed by at least 25 percent of the current members working under the jurisdiction of the Committeeperson. Twenty-five percent of the current members working under the jurisdiction of the Committeeperson must be present at the recall meeting to establish a quorum. A two-thirds vote of those present and voting is necessary to recall.

ARTICLE 7

COMMITTEES

Section 1

The Local Union will have the following Standing Committees:

1. Constitution and Bylaws
2. Union Label
3. Education
4. Conservation and Recreation
5. Community Services
6. Civil and Human Rights
7. Citizenship and Legislative
8. Consumer Affairs
9. Veterans
10. Local Union's Women's Committee
11. Chaplaincy Committee
12. Such other Committees which shall be deemed necessary

Section 2

The President shall appoint all members of the Standing Committees including the Chairpersons of the Committees with the approval of the Executive Board.

Section 3

The Executive Board shall appoint at least one of its members to each of the standing committees in a liaison or advisory capacity, except, however, the Plant Bargaining Committees, Election Committee, or any trial committee.

Section 4

Standing Committee members serve at the pleasure of the President and may be removed for their failure to function without the necessity of attendance rules.

ARTICLE 8

ELECTION COMMITTEES AND ELECTIONS

Section 1

There shall be an election of an Election Committee. The Election Committee shall consist of four (4) members and two (2) alternates. The first alternate shall be the candidate receiving the fifth highest number of votes, the second alternate shall be the candidate receiving the sixth highest number of votes elected by a majority at the meeting where nominations for Executive Officers are held each election year.

Section 2

The Election Committee shall serve for three (3) years and shall conduct the election of the Executive Officers referred to in Article 4 Section 1 of these Bylaws and of the Representatives referred to in Article 6 Section 1 of these Bylaws.

Section 3

The Election Committee shall prepare all ballots and certify the eligibility of all candidates. It shall also be their duty to count votes and check all ballots. The Election Committee shall be empowered to conduct all assigned elections in the most efficient and fair manner and shall make all decisions on the conduct of the elections as provided for in the UAW Constitution and the latest version of the UAW's *Guide for Local Union Election Committees*.

Section 4

The Election Committee shall conduct any other type of Local Union election that may be assigned to it by the membership or Executive Board in accordance with the UAW Constitution. In addition, the Election Committee shall conduct any and all contract ratification votes.

Section 5

The election(s) shall be held at the James Harvey Smith Memorial Hall on the day as established by the membership. The Election Committee shall be responsible for bringing forth recommendations to the membership concerning times, dates, places, the number of committee members needed to staff the polls, and other details necessary for the transaction of elections.

Section 6

The membership shall be notified at least fifteen (15) days in advance of the time and place of nominations and elections.

Section 7

Nominations for triennial elections of officials, Constitutional Convention delegates, and any special elections to fill un-expired terms, shall be governed by the following: Notices shall be posted or mailed in the customary manner announcing that all members in good standing are automatically nominated for all offices for which they are eligible; and the dates and hours of acceptance period. The acceptance period shall be for five (5) business days. Members wishing to accept nomination shall be under obligation to do so in writing on the provided forms within the acceptance period. Any member who accepts the nomination may withdraw her/his name from the ballot in writing on forms provided during the acceptance period. Candidates shall be given a copy of the form indicating the date the written acceptances or declinations were submitted.

Section 8

The election of Executive Officers referred to in Article 4 Section 1 of these Bylaws shall be during the months of May or June of each election year as provided for in the UAW Constitution. The newly elected Executive Officers are to be installed at the Regular Membership Meeting following their election.

Section 9

The election of said Executive Officers shall require a majority of votes cast for the office. The election of the Chairperson of the Shop Committee shall be determined by a plurality vote.

Section 10

All elections of the Executive Board Officers shall be by secret ballot.

Section 11

All candidates for Executive Office and Chairperson of the Shop Committee shall have been a member of UAW Local 23 in continuous good standing for a period of one (1) year immediately prior to the time of nominations in order to be eligible to accept the nomination in accordance with Article 38 of the UAW Constitution.

Section 12

All candidates for Committeeperson, Alternate Committeeperson or member of the Shop Committee shall have been a member of UAW Local 23 in continuous good standing for a period of one (1) year immediately prior to the time of nominations in order to be eligible to accept the nomination.

ARTICLE 9

FINANCES

Section 1

The initiation fee for membership in this Local Union shall be twenty (\$20) dollars.

Section 2

The reinstatement fee established by Local 23 shall be twenty (\$20) dollars, plus the dues for each month of delinquency of dues up to either the date of his/her automatic suspension, or the date of his/her reinstatement. Local 23, at its discretion, will determine which date to use. In addition, the current month's dues will be payable. Such reinstatement fee shall be uniformly applied to all delinquent members of Local 23.

Section 3

The Local Union shall pay a representative or member lost time only when that representative or member is performing necessary duties for and on behalf of the Local Union during a time for which he/she would otherwise be compensated by the employer. The amount of lost time should never exceed the amount which the Local Union representative or member would otherwise have received from his/her employer for the same period of time for which he/she is being compensated by the Local Union. The amount of lost time compensated by the Local Union should never exceed eight (8) hours of straight-time pay per day, Monday through Sunday.

Section 4

When a member is required by the Local Union to perform services away from home, he or she will be allowed air coach transportation or mileage, whichever is

more economical by the shortest route from and back to the James Harvey Smith Memorial Hall and a daily expense of forty-six (\$46) per day, when required to stay overnight with a hotel receipt. On the day of return, a member will be allocated twenty (\$20) dollars for expenses. If a member is driving a vehicle the driver will be reimbursed by the IRS-approved rate as outlined in the UAW Administrative Letter Volume 52, Letter No. 1 dated December 17, 2004 from International President Ron Gettelfinger (see appendix one). The hotel room will be paid for by the Local Union at a single-room occupancy rate or one-half of a double-room rate if shared with another member.

Section 5

The use of auto travel, when permitted, must not exceed in total cost to the Local Union the equivalent use of air travel by coach. Any other necessary expenses including but not limited to parking, limo, taxi, etc. shall be reimbursed to the member providing that he/she submits a receipt for such expenses to the Local Union.

Section 6

Unique circumstances such as an individual's physical requirements or a phobia concerning air travel may dictate permitting an exception to the above policy. It is understood that this exception will be applicable only in special and unique circumstances, which must be approved by the Executive Board.

Section 7

All lost time and expenses allowed must be approved by the President and Recording Secretary in advance of payment.

ARTICLE 10

ATTENDANCE RULES GOVERNING MEMBERS HOLDING ELECTIVE OR APPOINTED OFFICE

The following attendance rules have been established according to the mandates of Article 37, Section 5 of the UAW Constitution:

Section 1

All Executive Board Officers must attend two (2) out of three (3) Executive Board meetings and two (2) out of three (3) Membership Meetings, unless properly excused, in order to hold their respective office or position.

Section 2

All Committeepersons, Alternate Committeepersons, and Local and Internationally appointed representatives must attend two (2) out of three (3) Membership Meetings, unless properly excused, in order to hold their respective office or position.

Section 3

All Standing Committee members must attend two (2) out of three (3) Membership Meetings and must attend two (2) out of three (3) Standing Committee Meetings, unless properly excused, in order to remain a member of that respective Standing Committee.

Section 4

The Recording Secretary will maintain a record of all elective and appointed Union Officials of Local 23 in attendance at all Membership Meetings. A list of all absentee officials shall be recorded in the minutes of the Regular Membership Meeting.

Section 5

Consideration shall be given for reasonable and valid excuses where an elective or appointed Union Official fails to meet the above requirements. In the event any question arises over the excuses given by an official for his or her absence from the meeting, the question must be referred to the next Regular Membership Meeting for discussion.

Section 6

The President and or Shop Chairperson will be authorized to consider requests for excuses from officers or appointed officials under their particular chain of command.

Section 7

Failure of any elected or appointed Union Official to comply with the above attendance rules shall be automatically removed from their position. They shall not run for any elective office, or hold any appointed position, for the balance of the term which they were removed, except as delegate to the UAW Constitutional Convention.

Section 8

It shall be the duty of the Recording Secretary to see that all candidates for all elective and appointed positions shall sign acceptance forms showing the attendance requirements and the penalty imposed for failure to comply therewith.

ARTICLE 11

CONSTITUTIONAL DELEGATES FROM LOCAL

Section 1

All delegates to UAW International Conventions shall be chosen pursuant to the provisions outlined in Article 8 of the UAW Constitution.

Section 2

The eligibility requirements for Convention Delegate is controlled by the UAW Constitution.

Section 3

Delegates to Council meetings shall be determined by the applicable Bylaws of each Council.

ARTICLE 12

APPEALS

Section 1

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

Section 2

The Executive Board shall refer the matter to the Bargaining Committee if it involves collective bargaining. Otherwise, the Executive Board shall consider the matter itself.

Section 3

Whichever of these bodies the matter is referred to shall consult with the grievant and permit them full opportunity to be heard prior to making a decision.

Section 4

Within 30 days of receiving a notice of such decision, the grievant may appeal further, by submitting their appeal to the Recording Secretary in writing, for consideration by the membership at the next Regular Membership Meeting.

ARTICLE 13

RETIREES

Section 1

The Local Union shall establish a Local Union Retirees Chapter which shall hold a Regular General Membership Meeting at least once a month on the second (2nd) Tuesday at 11:00 a.m. unless changed by the President of the Retirees Chapter or the Membership of the Retirees Chapter.

Section 2

The retired members of the Local Union Chapter shall elect a retired member to be a member of the Local Union Executive Board with voice and vote. The election of such member shall be in pursuant to Article 38, Section 5 of the UAW Constitution.

Section 3

The Local Union President or his/her designee shall serve as a member of the governing board of the Local Union Retired Workers Chapter with voice and vote.

Section 4

The Retired Workers Chapter of UAW Local 23 shall conform to the policies of the International Union.

Section 5

All membership dues collected or any dues checked off which may be received by the Local Union Financial Secretary shall be submitted to the International Secretary/Treasurer, who shall allocate such monies to the respective bodies in accordance with Article 55, Section 5 of the UAW Constitution.

Section 6

All monies collected by and on behalf of the Retired Workers Chapter shall be kept in the funds of the Local Union by the Local Union Financial Secretary and shall be disbursed upon the request of the Retired Workers Chapter upon presentation of a voucher signed by the proper Chapter Officers.

ARTICLE 14

STRIKES

Section 1

All strikes shall be called, or terminated, only in strict conformance with Article 50 of the UAW Constitution.

ARTICLE 15

LEASES AND LONG TERM AGREEMENTS

Section 1

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

ARTICLE 16

GENERAL PROVISIONS

Section 1

The Trustees shall have general supervision over all funds and property of the Local Union. No property of UAW Local 23 may be removed from the premises without permission of the Trustees. Any member not returning property of the Local Union at a stated or reasonable time for return of the same, shall be considered as conduct unbecoming a member of UAW Local 23. All records of the Local Union must remain in the James Harvey Smith Memorial Hall and the Trustees shall have charge over same.

Section 2

All Local Union Officers, Committees, and other members handling funds or other property of the Union shall, at the completion of their duties, turn over all papers, documents, funds and/or Union property to the properly constituted Local Union Officers.

Section 3

Wherever in these Bylaws a pronoun is used, it refers equally, where the reference is applicable, to both men and women in the singular and plural.

ARTICLE 17
AMENDMENTS

Section 1

These Bylaws may be amended by presenting a motion in writing setting forth the amendment(s) sought to a Membership Meeting. The motion shall be read to that meeting and referred to the UAW Constitution and Bylaws Committee, which will report to the succeeding Membership Meeting, the notice of which must contain a notice of the particular Bylaw amendment(s) that will be considered. If approved by two-thirds of the Membership vote thereon at this succeeding meeting, the amendment(s) shall be considered adopted by the membership.

ADOPTED AT THE SPECIAL MEMBERSHIP MEETING ON SEPTEMBER 14,
2008 AT THE JAMES HARVEY SMITH MEMORIAL HALL. APPROVED BY
U.A.W. INTERNATIONAL UNION ON JANUARY 7, 2009.

Signed: , Chairman-By-Laws Committee
Donald E. Jones

 
William Matthews James Kendall

 
Wanda Shaner Dawn Gary-Stigall

 
Jeff Lewis Scott McMillin


Creigh Bell

UAW Local #23 Bylaws Committee



UAW ADMINISTRATIVE LETTER

OFFICERS

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 Elizabeth Bunn Secretary-Treasurer
 Gerald Bantom Vice President
 Nate Gooden Vice President
 Bob King Vice President
 Cal Rapson Vice President
 Richard Shoemaker Vice President

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Letter No. 1

IN THIS ISSUE

**UAW Policy on
Reimbursed Mileage**

To All Local Unions

Greetings:

In accordance with UAW policy, the International Executive Board has periodically adjusted the permitted rate for mileage reimbursement for union-related travel expenses. This is the maximum rate that UAW Local Unions are permitted to use, in accordance with their bylaws, for the purpose of reimbursing for union-related travel. It is also the rate the UAW International uses to reimburse its employees who are eligible to receive reimbursement for travel. The current UAW mileage reimbursement rate is 28 cents per mile.

By unanimous vote of the International Executive Board, the UAW has adopted a policy that the UAW-approved mileage reimbursement rate will automatically track the IRS-approved rate. This will allow Local Unions to increase their reimbursement rate — by amendment to their bylaws — to more closely reflect the actual cost of travel.

Under this policy, Local Unions bylaws may establish mileage reimbursement rates at or below the IRS-approved rate. Local Unions may also provide in their bylaws that their reimbursement rate will track the IRS-approved rate (or a specified amount below the IRS rate), in order to avoid the need for ongoing amendments.

In solidarity,


 Ron Gettelfinger
 President

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APPENDIX 1