

IUPAT

LOCAL 364

BYLAWS



Ratified
October 1, 2018

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**BYLAWS
LOCAL UNION 364**

PREAMBLE

We, the members of Local Union 364, fully affiliated with District Council 5, of the International Union of Painters and Allied Trades, AFL-CIO, believing that organization and collective action is necessary to foster and adopt ways and means for the continuous improvement of the working and living standards of the members of this Local Union; to secure legislation in the interest of our members; to bring about higher wages, shorter hours and better working conditions for our membership; to influence public opinion by peaceful and legal methods; in favor of our affiliated organizations, organized labor, and working people generally; to promote, encourage and bring into existence satisfactory contractual relationships with employers in the industries from which the members of our affiliates are drawn; to advance and maintain better relations between our members and their employers for the purpose of stabilizing employment conditions to the mutual advantage of both our members and employers; and to otherwise enrich the lives of our members and all working men and women, formulate and adopt the following Bylaws for our guidance and government.

ARTICLE 1: BYLAWS

These Bylaws are subordinate to the provisions of the International Constitution of the International Union of Painters and Allied Trades (hereinafter called the “International Union”) and the Bylaws of District Council 5. In the case of conflict between these Bylaws and the provisions of the International Constitution, the latter shall govern. In the case of conflict between these Bylaws and the District Council Bylaws, the latter shall govern.

ARTICLE 2: NAME

This organization, a subordinate body of the International Union and an affiliated Local Union of District Council 5, shall be known as Western Washington Drywall Finishers Local 364. This Local was chartered by the IUPAT on July 1, 2010.

ARTICLE 3: JURISDICTION

The territorial jurisdiction of this Local Union shall be as set forth in its Charter and as determined by the General Executive Board from time to time under Section 69(b) of the International Constitution, provided that the Local Union shall be guided within its jurisdiction by the directives of the District Council.

ARTICLE 4: OBJECTS

The objects of this Local Union shall be as set forth in the Preamble, and Sections 2 and 165 of the International Constitution.

ARTICLE 5: ELIGIBILITY FOR MEMBERSHIP

Eligibility for membership in this Local Union shall be as set forth in the International Constitution and in policies adopted by the General Executive Board.

ARTICLE 6: OFFICERS

- 6.1 Eligibility to hold office shall be as set forth in Sections 91(b) and 210 of the International Constitution.
- 6.2 Officers of this Local Union shall be as set forth in Section 185 of the International Constitution, and their duties shall be as set forth in the following sections of the International Constitution.
 - (a) President: The duties of the President shall be as set forth in Sections 189-192.
 - (i) The President, Recording Secretary, Treasurer, and Business Representative (s) shall be able to sign warrants or checks on behalf of the Local.
 - (b) Vice President: The duties of the Vice President shall be as set forth in Section 194.
 - (c) Recording Secretary: The duties of the Recording Secretary shall be as set forth in Sections 195-197.
 - (d) Financial Secretary: The duties of the Financial Secretary shall be as set forth in Sections 155(d), 198-202 and 211(d).
 - (e) Treasurer: The duties of the Treasurer shall be as set forth in Section 203.
 - (f) Trustees: The duties of the Trustees shall be as set forth in Sections 204-207.
 - (g) Warden: The duties of the Warden shall be set forth in Section 208.
- 6.3 When the District Council adopts the centralized Local Union dues, records and reporting plan outlined in Section 162 of the International Constitution, the following modifications will be in effect for dues collection, records, and reporting; and the Local Union officers' duties will be modified as outlined below.

Under the Dues Collection and Membership Reporting Plan adopted by Local Union 364 pursuant to Article 15.4 of the District Council 5 Bylaws, the Business Manager/Secretary-Treasurer of District Council 5 performs many of the functions of the Financial Secretary and Treasurer of Local Union 364. Therefore, the duties of the Financial Secretary and the Treasurer of Local Union 364 shall be as set forth in this Article.

Where the Financial Secretary receives dues payments from members (such as at Local Union meetings) he or she shall

- (i) transmit such payments to the Business Manager/Secretary-Treasurer of District Council 5 within five (5) days,

(ii) provide the member with a temporary receipt, a copy of which shall be transmitted to the Business Manager/Secretary- Treasurer with the payment and a copy of which shall be retained by the Financial Secretary. Such temporary receipt shall indicate only the amount of funds received and shall not indicate the member's standing or through which calendar month dues are paid.

The Financial Secretary shall retain copies of all reports and information received on a monthly basis from the Business Manager/Secretary-Treasurer of the District Council. At each membership meeting, the Financial Secretary shall deliver a report to the membership, which shall include the following information:

- (i) the gross receipts of the Local Union in the prior month,
- (ii) the net receipts of the Local Union, along with the amounts of all per capita deductions made by the Business Manager/Secretary-Treasurer of District Council 5 and any other deductions,
- (iii) the overall membership of the Local Union, with the gain or loss in membership in the prior month noted,
- (iv) the number and names of members on application and those initiated,
- (v) the number and names of members suspended and reinstated, and
- (vi) The names and number of clearance cards deposited and issued.

The Treasurer shall retain copies of all reports and information received on a monthly basis from the Business Manager/Secretary-Treasurer of District Council 5. At each membership meeting, the Treasurer shall deliver a report to the membership, which report shall include the following information:

- (i) list all deposits made to the Local Union account, if any,
- (ii) a copy of the Local Union cash disbursements journal, if applicable,
- (iii) list of all payments from the District Council made on behalf of the Local Union, from the funds collected by the District Council for the Local Union.

Notwithstanding anything to the contrary in this Article, the Financial Secretary, the Treasurer and all other Local Union officers shall comply with all provisions of the Plan, as amended from time to time by the General Secretary-Treasurer.

The Financial Secretary shall perform the Financial Secretary duties outlined in Section 155(d) and 211(d) of the International Constitution from information provided the Financial Secretary by the Business Manager/Secretary-Treasurer of the District Council.

The Local Union shall use the IUPAT Integrated Membership Systems (IMS) computer systems or other system approved by the General Secretary-Treasurer for dues collection, member records, and member activity.

ARTICLE 7: DELEGATES

All delegates (other than delegates to the General Convention) shall be elected at the June elections in accordance with Article 11 of these Bylaws.

ARTICLE 8: EXECUTIVE BOARD

8.1. The Executive Board of this Local Union shall be as set forth in Section 185(c) of the International Constitution. The Executive Board shall be composed of the President, Vice President, Recording Secretary, Financial Secretary, Treasurer, Warden, and Business Representative (s).

8.2. Duties of the Executive Board:

- a. To enforce the laws of the Local Union between meetings.
- b. To handle all matters delegated to the Executive Board by the members voting at regular or special called meetings.
- c. To review all requests for donations, investigate the same and submit its findings and recommendations for membership action.
- d. The Executive Board shall be vested with the authority of recommendation only, unless otherwise specifically authorized by the Local Union membership voting at a regular or special called meeting; provided, however, that during the interim between meetings it shall be authorized to act for the Local Union in cases of emergency, subject to review at the next regular meeting.
- e. The Executive Board shall meet on the 4th Tuesday of the month at 4:00 P.M. The Executive Board may occasionally hold its meeting at different time prior to the next monthly membership meeting.

A Quorum for an Executive board meeting shall be a majority of the Executive Board members.

The Business Representative (s) shall be responsible for the Local 364 office staff on a day to day basis.

ARTICLE 9: COMPENSATION OF OFFICERS, DELEGATES AND COMMITTEE MEMBERS

9.1. Officers:

- a. The President shall be paid a stipend of \$100.00 per month and have monthly dues paid by the Local.
- b. The Vice President shall be paid a stipend of \$100.00 per month and have monthly dues paid by the Local.
- c. The Recording Secretary shall be paid a stipend of \$100.00 per month and have monthly dues paid by the Local.
- d. The Financial Secretary shall be paid a stipend of \$100.00 per month and have monthly dues paid by the Local.
- e. The Treasurer shall be paid a stipend of \$100.00 per month and have monthly dues paid by the Local.
- f. The Trustees shall have monthly dues paid by the Local.
- g. The Warden shall be paid a stipend of \$100.00 per month and have monthly dues paid by the Local.
- h. The above Executive Board officers (a through g) shall be paid a stipend of \$100.00 per month and have their monthly membership dues paid by the Local's General Fund, upon attending in its entirety, the monthly meeting and performing their duties as officers for that month (This does not include any full time staff of the Local or the Council if they are officers). If a meeting is missed by an officer, the stipend and dues are not to be paid by the Local for that month.

9.2. Delegates:

- a. To District Council – None
- b. To Central Bodies (if any) None
- c. To Conventions and Conferences – shall receive IRS reimbursable mileage rate, when using personal vehicle, or coach airfare; hotel room, convention registration fees, and fifty (\$50.00) dollars per day per diem, or actual expenses. Any member missing work while on delegate duties for Local Union 364 shall be allowed Journey level wages, or wage on most recent pay stub, whichever is greater, for up to eight (8) hours per day, Monday through Friday, of event and travel.

- (i) Per diem, if paid, starts at 60 road miles from Local Union 364 unless otherwise authorized by the President to accommodate special circumstances.
- d. Full-time Union or District Council 5 employees shall not receive any wages for fulfilling the duties as a delegate from Local Union 364 except for convention expenses stipulated in 9.2(c) above.

9.3. Committee Members:

- a. The Financial Secretary for the District Council elections shall receive compensation as per Article 11.2 of the District Council Bylaws.
- b. Other Committees' allowances will be granted at time of appointment and voted on by the Local Union 364 Membership.

ARTICLE 10: BONDS

Officers of Local Unions shall be bonded in accordance with Section 59(b) and (c) of the International Constitution and as required by law.

ARTICLE 11: ELECTIONS

- 11.1. Elections shall be held under the procedures and provisions as set forth in Sections 209-212 of the International Constitution.
- 11.2. The election of Local Union Officers and delegates to District Councils shall be held at the last meeting in June, and nominations for the same shall be held at the last meeting in May, as per Section 209(a) of the International Constitution. Delegates to the District Council shall be elected to a four (4) year term. Local Union officers shall be elected to a three (3) year term.
- 11.3. Delegates to the General Conventions of the International shall be elected as set forth in Section 28 of the International Constitution.

ARTICLE 12: VACANCIES

Vacancies occurring among the officers shall be filled in accordance with Sections 215 and 216 of the International Constitution.

ARTICLE 13: DUES, FEES, AND ASSESSMENTS

13.1 Dues:

a. Dues shall be as follows:

(1) All Members shall pay dues of:

	Monthly	Quarterly
Journey level	\$41.94	\$125.82
Journey level joining at age 60+	\$39.94	\$119.82
High Bracket Apprentice (4-6)	\$37.94	\$113.82
Low Bracket Apprentice (1-3)	\$35.94	\$107.82

Dues shall be payable to the Local Union on a quarterly basis.

(2) Dues shall increase by the amount of any increase in the per capita and Death Benefit payment due to the International Union and such increase shall be effective the date the increase in the payments due to the International Union becomes effective.

b. The dues payment required by sub-section (a) includes the Death Benefit payment called for by Sections 17 (b) and 18 of the International Constitution and the Rules and Regulations of the International Union’s Death Benefit Fund. Accordingly, members not covered by the Death Benefit Fund pursuant to the foregoing provisions (Example: members who are 60 years of age or over when initiated; or life Members working at the trade who elected non-participation) will be required to pay the dues specified in sub-section (a) less the current Death Benefit Payment.

c. Quarterly working cards shall be obtained in accordance with Section 119 of the International Constitution. All dues, fees, assessments and funds payments are due and payable quarterly in advance by the 20th of the first month of each quarter in order to receive the quarterly working card.

d. Administrative Processing Fees:

There shall be no initiation fees for membership in this Local Union. New members/candidates and apprentices shall be charged an Administrative Processing Fee in accordance with the provisions set forth in Sections 92 and 93 of the International Constitution.

e. Life Membership fees shall be in accordance with Section 98 of the International Constitution.

13.2. Clearance Cards:

Clearance Card fees and rules shall be as set forth in Section 233-250 of the International Constitution.

13.3. Assessments and Funds:

- a. Assessments can only be levied in accordance with section 92 of the International Constitution.
- b. International Union Death Benefit Fund. The International Union's Death Benefit Fund is governed by Sections 287-289 of the International Constitution, and the rules and regulations of the fund. Members should refer to the pamphlet "Rules and Regulations covering the Death Benefit Fund and the former Death and Disability Fund."
- c. All monies due the International Union for per capita tax, Administrative Processing Fees or application fees, Death Benefit Fund payments, reinstatements, clearance card fees, life membership fees, and supplies shall be forwarded to the General Secretary-Treasurer immediately after the close of the month, along with required reports. Remittances must be made by express or post office money order, check or bank draft payable to the IUPAT.
- d. Should a majority of the Trustees doubt the accuracy of any bill from the General Secretary-Treasurer, the Local Union shall pay the same under protest, and such protest shall be the first business taken up by the General Executive Board at their next meeting.
- e. Each month the Local Union shall hold in its treasury, as a standing appropriation to be forwarded to the General Secretary-Treasurer, a sum equivalent to its monthly per capita tax, Death Benefit Fund obligations, IUPAT Local Union and District Council Pension Fund payments and all other payments that must be made to the International Union required by Section 177 of the International Constitution. Such required payments shall be made prior to allowing other expenditures.
- f. The funds and property of a Local Union may only be used for such purposes as are specified in the International Constitution, the District Council Bylaws, these Bylaws, and as approved by a majority of the Local Union members present at a meeting at which the question is presented. Recurring and fixed expenses may be authorized by a single vote of the membership. Local Union shall not make any non-per capita tax expenditures in excess of \$5,000.00 without prior written approval of the District Council Business Manager/Secretary-Treasurer.
- g. On no consideration shall money from the Local Union Treasury be loaned or donated to members (strike, lockout and regularly established sick benefits excepted), provided that the Local Union may levy an assessment upon the membership to provide funds to relieve distress among members totally disabled from earning a living on account of injuries or sickness incurred while working at the trade. Before any such assessment is levied (1) all members shall be notified by mail that the proposed assessment will be considered at the next meeting and, (2) the majority of members present and voting must approve the assessment in a secret ballot vote.

- h. Group Local Death Benefit Insurance: Out of each and every members Local Union dues \$0.74 (seventy four cents) per month shall be paid as premium for the Local Death Benefit Insurance, subject to change by the Insurance Company. Such insurance shall be as provided for by the company, selected to carry the Death Benefit Insurance for Local Union 364, and furnish such benefits as set forth in the policy from time to time.

Present schedule of insurance is as follows:

\$0.74 per month

Member age 18-64	
Regular Death Benefit	\$10,000.00
Accidental Death Benefit	\$20,000.00

Member age 65-69	
Regular Death Benefit	\$6,500.00
Accidental Death Benefit	\$13,000.00

Member age 70+	
Regular Death Benefit	\$5,000.00
Accidental Death Benefit	\$10,000.00

- i. Members' Accident, Sickness, and Hardship Fund (MASH): Out of each and every members Local Union dues one (\$1.00) dollar per month shall be paid into the Local Union 364 MASH Fund. The fund shall be used primarily as a dues replacement fund to relieve distress among members in good standing disabled from earning a living due to injuries or sickness while working in the trade. The fund shall be administered by District Council 5 according to the guidelines in Addendum A of these bylaws, who shall review cases brought before it and report its recommendations to the membership for action.
- j. Journeyman Training Fund: Each member shall pay an hourly contribution of \$0.35 per hour into the Journeyman Training Fund until such time as the members of Local 364 vote to alter the contribution amount. The fund shall be administered by Local 364 according to the fund rules and guidelines in Addendum B of these bylaws.
- k. Local 364 Organizational Fund: Each member shall make an hourly contribution of \$0.14 per hour into the Local 364 Organizational Fund, until such time as the Members of Local 364 vote to alter the contribution amount. The fund shall be administered by District Council 5 according to the fund rules and guidelines in Addendum C of these bylaws.

- l. Market Recovery Fund: Each member shall make an hourly contribution of \$0.60 per hour into the Market Recovery Fund until such time as the Members of Local 364 vote to alter the contribution amount. This fund shall be administered by District Council 5.
- m. NSF Fee: IF a check used for a payment is non-negotiable, all future dues payments shall be by cash, money order or certified check. There will be a fee equal to the amount incurred by the Local for all NSF checks.

ARTICLE 14: MEETINGS

- 14.1 Regular Meetings: The regular meetings of this Local Union shall be held on the 4th Tuesday of each month. Meetings will be called to order promptly at 5:00 P.M.
- 14.2 Special Meetings: Special meetings of this Local Union may be called by the President as he or she deems necessary. Special meetings shall also be called as required by Section 191 of the International Constitution.
- 14.3 Quorum: A quorum for a membership meeting shall consist of seven (7) members, provided that five (5) members shall constitute a quorum if the Local Union's membership is fewer than twenty-five (25) members.
- 14.4 Members' Rights: Members in attendance at meetings shall have the right to express their views, arguments or opinions upon any business properly presented before the meeting, subject to these Bylaws and the rules and regulations adopted by the Local Union pertaining to the conduct of meetings, but no member in exercising such rights shall evade or avoid his or her responsibility to the organization as an institution or engage in or advocate any conduct that would interfere in the Local Union's performance of its legal or contractual obligations, or conduct him or herself in an unruly, or boisterous manner.
- 14.5 Recording Devices: No member shall be permitted to use recording devices during any portion of any meeting in the Local Union.

ARTICLE 15: COMMITTEES

- 15.1. There shall be a standing Bylaws Committee whose duties and functions shall be as set forth in Section 169(b) of the International Constitution.
 - a. The Bylaws Committee shall be comprised of the Business Representative (s) and of members appointed by the President.
- 15.2. Other Committees: Other committees shall be appointed by the President of Local Union 364, in accordance with Sections 141, 212 and 191 of the International Constitution as circumstances warrant.

ARTICLE 16: CONTRACTORS

16.1. An employer is one who, in relation to any corporation, company, partnership, firm or other business entity, is a substantial owner, partner, officer, director, incorporator, managerial employee, supervisor (as defined by the National Labor Relations Act or Provincial law) or in a permanent, policy-making position.

16.2. (a) Employers shall be eligible for membership, but they must comply with the trade rules and working conditions of the locality in which the work is performed, must, insofar as is consistent with applicable federal and state, provincial and/or territorial laws, hire only members of this International Union, and must pay themselves and all their employees the wages and benefits established by the applicable area collective bargaining agreement.

(b) No employer shall be eligible or permitted to hold office, serve on an executive board, act as delegate, and vote on any question pertaining to hours, wages, benefits or conditions of employment, vote at elections of officers, delegates, or attend meetings at which contract proposals are discussed or voted on or at which the nomination or election is held for any elected position.

ARTICLE 17: MEMBERSHIP

17.1. An applicant is considered a member when the applicant meets all the requirements as set forth in the International Constitution.

17.2. A member may lose his or her good standing in the organization by suspension or expulsion or other disqualification for membership, after appropriate proceedings consistent with the provisions of the International Constitution, or by non-payment of dues as provided in Sections 116-117 of the International Constitution.

A member who loses his or her good standing status because of his or her failure to pay dues or other obligations as required by the International Constitution and these Bylaws, but who has not been expelled from membership, may reinstate his or her good standing for the purpose of attending Local Union meetings and voting at elections, by paying all delinquent dues and other financial obligations prior to such meeting and election as provided in Section 118 of the International Constitution. Expelled members may be reinstated only in accordance with Section 276 of the International Constitution.

Quarterly dues payments must be made on or before the 20th day of the first month of the quarter to maintain good standing membership for the entire quarter period.

Resignation from membership is governed by Section 120 of the International Constitution.

17.3. Members' Responsibility:

a. Every member by virtue of membership in this Local Union is obligated to adhere to and follow the terms of these Bylaws, the District Council Bylaws and the International

Constitution with respect to the members' rights, duties, privileges and immunities conferred by them and by statute. Each member shall faithfully carry out such duties and obligations and shall not interfere with the rights of other members.

- b. Every member by virtue of membership in this Local Union authorizes the District Council to act as his or her exclusive bargaining representative with full and exclusive power to execute agreements with his or her employer governing terms and conditions of employment and to act for the member and have final authority in presenting, processing and adjusting any grievance, difficulty or dispute arising under any collective bargaining agreement or out of the member's employment with such employer in such manner as it deems within its discretion to be in the best interests of the District Council. The District Council and its officers, and agents may decline to process any such grievance, complaint, difficulty or dispute, if in their sole discretion and judgment, such grievance, complaint or dispute lacks merit or that such action would not be in the best interests of the District Council.
- c. No member shall interfere with the elected officers or representatives of the International Union, the District Council or this Local Union in the performance of their duties. Each member shall when requested, render such assistance and support in the performance of such duties as may be required by them, provided that this does not interfere with their individual rights as members. Each member shall adhere to the terms and conditions of pertinent collective bargaining agreements and shall refrain from any conduct that would interfere with the International Union, District Council or Local Union's performance of its legal or contractual obligations.
- d. Every member shall be required to assist the International Union, the District Council and the Local Union, as well as their officers and representatives, by engaging in picketing, hand billing, salting and other organizing activities, and attending education and training as directed by the International Union, the District Council or the Local Union officers. No charges shall be filed or processed against any member for his or her decision to accept employment with an approved, targeted non-signatory employer for the purpose of organizing.
- e. All new members of this Local Union shall attend a new member orientation class offered by the District Council within ninety (90) days of being initiated.
- f. Upon an applicant completing the APF, he or she shall attend the next Local Union meeting for the Initiation Ceremony and Obligation as outlined under Parliamentary Rules and Rituals on Pages 189-191 of the International Constitution.
- g.

ARTICLE 18: CHARGES AND TRIALS

18.1 All charges preferred by members of this Local Union shall be referred to the District Council Trial Board for disposition and shall be processed in accordance with the International Constitution.

ARTICLE 19: EXHAUSTION OF REMEDIES

No member or officer shall resort to any court or agency until all forms of relief and avenues of appeal, as provided by the International Constitution, have been exhausted, unless otherwise provided by statutory law.

ARTICLE 20: PROPERTY

The funds and property of the Local Union shall be governed by Sections 179-181 of the International Constitution.

No property of the Local Union, and no property in the possession, custody or control of this Local Union or any of its officers or employees, and no property held in trust, express or implied, which was created or established by this Local Union and whose primary purpose is to provide benefit for the members of the Local Union or their beneficiaries, shall be given, contributed or donated, either directly or indirectly, to aid or assist, or be expended in behalf of, any seceding, dual or antagonistic labor organization, nor to any Local Union which is in violation of the International Constitution.

No member, officer, delegate, employee of, or applicant to, Local Union 364 may possess via copy, fax, computer generated e-mail, diskette, or compact disc, or by any other electronic means any Local Union 364 membership list, financial statement, or database of any kind, without the express written consent of the District Council 5 Business Manager/Secretary Treasurer except as provided for in Section 197 of the International Constitution.

ARTICLE 21: AGENCY

Neither this Local Union, nor any of its officers or employees, has any power to make any representation, contract, or agreement, nor to incur any liability, which shall be binding upon the International Union without the written consent of the General President or his or her designee. Neither this Local Union, nor any of its officers or employees has been authorized or empowered to act as agent of the International Union and shall not be deemed an agent of the International Union unless expressly authorized in writing by the General President or his or her designee to act in that capacity.

ARTICLE 22: AMENDMENTS

Any amendment to these Bylaws shall be done in accordance with the procedure set forth in Section 169 of the International Constitution.

ARTICLE 23: STANDING RULES FOR UNION MEETINGS

Rules for the conduct of Local Union meetings are contained in the “Order of Business for Local Unions,” and in “Parliamentary Rules and Ritual” set forth in the International Constitution.

ARTICLE 24: INTERNATIONAL UNION CONSTITUTION

The Local Union acknowledges that the International Constitution of the International Union supersedes any provisions of these Bylaws which are inconsistent with the Constitution. The Local Union further acknowledges that the Bylaws of the District Council shall govern and supersede these Bylaws to the extent that any provisions set forth herein are inconsistent with such Bylaws.

ARTICLE 25: SAVING CLAUSE

1. The provisions of these Bylaws relating to the payment of dues, assessments, fines or penalties, shall not be construed as incorporating into any union-security contract those requirements for good standing membership which may be in violation of applicable law, nor shall they be construed as requiring any employer to violate any applicable law. However, all financial obligations imposed by or under the International Constitution, the District Council Bylaws and these Local Union Bylaws (and in conformity therewith) shall be legal obligations of the members upon whom imposed, and enforceable in a court of law.
2. If any provision of these Bylaws shall be declared invalid or inoperative, by a competent authority of the executive, judicial or administrative branch of the federal or state government, the Local Union Executive Board, subject to approval of the Local Union, shall have the authority to suspend the operation of such provisions during the period of its invalidity and to substitute in its place and stead a provision which will meet the objections to its validity and which will be in accord with the intent and purpose of the invalid provision. If any article or section of these Bylaws should be held invalid by operation of law or by any tribunal of competent jurisdiction, the remainder of these Bylaws or the application of such article or section to persons or circumstances other than those as to which it has been held invalid, shall not be affected thereby.

Addendum A

LOCAL 364 M.A.S.H. FUND RULES & GUIDELINES

Revised/Approved 1-24-2017

In an effort to assist our fellow members in times of need, IUPAT Local 364 has established a Membership, Accident, Sickness, and Hardship (MASH) Fund. This program was created to assist in the following situations for our members and retirees:

1. To pay for a remembrance recognition of a deceased member or a member of his/her family; \$200.00 maximum.
2. To pay an injured or ill member's quarterly dues; 3 quarter maximum (must be in good standing prior to request).
3. To assist our out of work members with gift cards for food, etc. at Christmas; \$50.00 maximum. (Based on funds available)
4. To assist injured/ill members who are out of work with medical insurance (Cobra) payments up to a maximum of \$200.00 per month for three months in any one year period (must be in good standing prior to request).
5. To purchase flowers/gift cards for injured/ill members; \$150.00 maximum up to three times in a one year period.
6. All requests must be approved by a vote of the membership at a regular or special called meeting.

The Executive Board of Local 364 shall review requests and make recommendations to the membership based on the following guidelines:

1. Member must make request in writing to the E-Board for Dues and Cobra assistance.
2. The Member must be in good standing to be considered for any requests.
3. The availability of funds at the time of request.
4. The situation of the Member at the time of request.

Additional limits/rules for MASH Program:

1. Local 364 Executive Board may assess each request and make its recommendations based on the member's circumstances.
2. The maximum lifetime assistance any member may receive is \$1,500.00.
3. The maximum yearly (calendar year) assistance any member may receive is \$750.00.
4. For the good of the UNION, any member that receives MASH funds will be expected to assist Local 364/DC#5 in future organizing activities such as phone banks, picket lines, etc., and shall make every attempt to attend monthly meetings.

Any changes to the program shall be by recommendation of the Local 364 E-Board to the membership.

Addendum B

Local 364 Journeyman Training Fund Rules and Guidelines

Approved 9-25-2018

The Local 364 Journeyman Training Fund was established under Article 20.3 of the Western Washington Area Agreement for the Drywall Industry with International Union of Painters & Allied Trades I.U.P.A.T. District Council #5 July 1, 2013 – June 30, 2016 as a continuing education fund to provide for stipends to Journey workers who attend classes and obtain the certifications required under Article 12.1 (d).

Article 12.1(d) – As a condition of employment employees shall be required to possess a *current scaffold user certification, scissor/boom lift certification, fall protection certification, OSHA 10 or 30 certification and current CPR/First Aid certification*. Labor and management agree to meet to discuss trade related curriculum that will be sponsored by the JATC and made available to Journey level Drywall Finishers.

All funds contributed shall be maintained in a separate account known as the Local 364 Journeyman Training Fund.

1. Stipends shall be paid to qualified Local 364 Journeymen annually. Stipends shall only be paid to Local 364 Journeymen members who have all *current* certifications on file in the FTINW Apprenticeship office as required by the Western Washington Area Agreement for the Drywall Industry Stipends amounts for each Journeyman shall be equal to their Journeyman Training Fund account balance. The Journeyman Training Fund fiscal year shall be July 1st through June 30th of each year. For the purpose of paying stipends account balance totals shall be the total of funds held for each member on June 30th.
2. With each pay out an account statement for each Local 364 Journeyman to include their certifications on file in the FTINW Apprenticeship, total of stipends paid and balance of their remaining contributions in the training fund shall be sent to every Local 364 Journeyman member.
3. In the event the Journeyman Training Fund is discontinued, all Journeyman Local 364 members will have an additional twelve (12) months from the date of termination to obtain the required training certifications. After that (12) month period the final round of stipends shall be paid. Eligible Local 364 Journeymen who have all *current* certifications on file in the FTINW Apprenticeship office as required by the Western Washington Area Agreement for the Drywall Industry shall receive a stipend equal to their Journeyman Training Fund account balance at the time of payout. All remaining funds, after any final payout to Journey Workers due to termination of the Journeyman Training Fund, shall be donated to the FTINW Western Washington Drywall Finishing Apprenticeship Program.

4. Hourly contributions made by Local 364 Journeymen to the Journeyman Training Fund shall be as follows:
\$0.35 per hour 7/1/16 - until such time as the amount is altered by a vote of the Local 364 Membership.
5. To be eligible for payment, Journeymen must be a member in good standing of Local 364. Payment of stipends is contingent on adequate funds in the Journey Training fund account.
6. The balance of Journeyman Training Funds for each eligible Local 364 Journeyman shall be paid in full under the following special circumstances:
 - A balance of contributions shall be paid to designated beneficiaries of deceased eligible Local 364 Journeymen
 - A balance of contributions shall be paid to Local 364 Retiree Members who have permanently retired from the trade as a Member in good standing after one year of verifiable retirement from the Drywall Finishing Trade.
 - A balance of contributions shall be paid to members who are permanently disabled from the trade and eligible for disability benefits from the Western Washington Painters Pension.
7. After a Local 364 Journeyman has been dropped from Local 364 Membership for two years his/her remaining Training Fund contributions shall be donated to the FTINW Western Washington Drywall Finishing Apprenticeship Program.

Addendum C

Local 364 Organizational Fund Rules and Guidelines

Approved 1-24-2017

The Organizational Fund was established at a special called meeting on January 24, 2017. The fund will be governed by these guidelines, which can only be amended by majority vote of the membership at a Special Called meeting. The program will be funded by the payment of a special hourly assessment for all Journeymen and Apprentice Drywall Finishers, voted on by secret ballot. The amount of assessment shall be maintained in a separate account known as the Local 364 Strike Fund and Defense Fund.

1. Utilization of Funds: The fund will be used for internal and external organizing activities such as, but not limited to, the following:
 - Wage supplement in the event of a labor dispute (Strike Pay).
 - To pay volunteer picketers for organizing activities.
 - To cover expenses incurred on internal Local 364 activities such as picnics, anniversary parties, etc.
 - Costs involved in major campaigns advertising the benefits of membership.

2. Approval for Usage: The fund may only be used after the following steps have been taken:
 - Proposals for usage of the fund will be reduced to writing and submitted to the Local Executive Board.
 - Notification of a Special Called meeting will be sent out to the membership at the address on file at the Local office. This notice must be sent fifteen (15) days prior to the meeting and must state the proposed usage of the fund.
 - The Local Executive Board will have the authority to modify the proposal and will make a recommendation to the membership.
 - The membership will vote on the proposal by secret ballot.

Addendum D

Local 364 Apprenticeship Tuition Reimbursement Fund Rules and Guidelines

Approved 9-25-2018

In an effort to encourage excellence and involvement among our Apprentices, Local Union #364 has created a fund to provide tuition reimbursement assistance for all Local #364 Drywall Finisher Apprentices in good standing.

All Apprentice members of Local #364 in good standing are eligible for tuition reimbursement as outlined in these rules and guidelines. The Tuition Assistance Fund was established by majority vote at a Special Called meeting on 9-25-2018 by Local #364 with a deposit of \$10,000.00 from the General Fund and it will continue to be funded as needed from the General Fund account of Local #364, which shall be maintained in an account known as the Local #364 Tuition Reimbursement Fund.

A review of this Fund will be made by Local #364 Executive Board each year in July. Any changes to this program, such as rule changes, funding procedures or the need to terminate, shall be by recommendation of the Local #364 Executive Board and the membership shall vote by secret ballot at a Special Called meeting. In the event the Local #364 Apprentice Tuition Assistance Program is terminated, funding will cease immediately and all remaining assets shall be placed in the Local #364 General Fund.

At the end of each school quarter, the Business Representative for Local #364 will review any tuition assistance requests and verify eligibility.

To be eligible for tuition assistance from the Local the Apprentice must:

1. Be a Washington State registered Apprentice indentured in the IUPAT District Council #5 Drywall Finishing Apprenticeship program.
2. Maintain a perfect attendance record having no unexcused absences, as determined by the JATC, and having attended all assigned make-up classes scheduled within the quarter or arranged for make-up classes in the future for all excused absences. Without full documentation - no benefits will be paid after assigned and posted deadline dates.
3. Have all Work Progress Reports completed and submitted before the assigned and posted deadline dates for the quarter completed.
4. Abide by the South Seattle Community College's code of conduct (Chapter 132F-121 WAC) and The Finishing Trades Institute Northwest JATC's code of conduct.
5. If eligible, seek A.O.P. assistance or any similar program that provides tuition assistance to be eligible for assistance through this fund. Information for these programs should be requested through the Finishing Trades Institute Northwest office.

6. Be a member of Local #364 in good standing for the duration of the quarter. The definition of a “member in good standing” is a member who has not been suspended under Section 116 of the International Constitution or dropped per Section 117 of the IUPAT International Constitution.
7. Attend at least two (2) Local #364 Union meetings or take part in one (1) District Council #5 and/or Local #364 voluntary activities during the preceding 3 months, (quarter).

To receive tuition assistance:

1. The Apprentice must complete and submit a “Request for Tuition Reimbursement” form, which can be acquired at the Finishing Trades Institute Northwest JATC office. The “Request for Tuition Reimbursement” form must be turned into the Finishing Trades Institute Northwest office with a receipt for tuition for the month requested from South Seattle Community College.
2. The Finishing Trades Institute Northwest JATC office will confirm that the Apprentice applying for tuition assistance meets eligibility requirements 1 – 5.
3. The Local #364 Business Representative will confirm that the Apprentice applying for tuition assistance meets eligibility requirements 6 – 7.

Assistance shall be provided as reimbursement of the applicant’s tuition, made directly from the Local #364 Tuition Reimbursement Fund to the apprentice.

Apprentices are eligible for a maximum of nine (9) quarters of tuition reimbursement.

Tuition assistance recipients are still responsible for their own registration, parking fees, required class materials, and required clothing/ boots needed to attend class.

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