

**LOCAL 522**

**UTILITY WORKERS UNION OF AMERICA**

**AFL-CIO**

**CONSTITUTION**

1976

AMENDED 1992, 1997, 1998, 2000 & 2007

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TABLE OF CONTENTS

ARTICLE

PREAMBLE	_____	3
I. NAME AND AFFILIATION	_____	3
II. OBJECTIVES	_____	4
III. MEETINGS	_____	4
IV. QUORUM	_____	5
V. OFFICERS AND DUTIES	_____	5
VI. EXECUTIVE BOARD	_____	7
VII. ELECTIONS	_____	8
VIII. VACANCIES OF OFFICE	_____	10
IX. AFFIRMATION	_____	10
X. MEMBERSHIP	_____	11
XI. DUES AND ASSESSMENTS	_____	11
XII. MONIES	_____	12
XIII. OFFICERS EXPENSE	_____	12
XIV. NEGOTIATING COMMITTEE	_____	12
XV. STANDING COMMITTEES	_____	13
XVI. WITHDRAWALS AND TRANSFERS	_____	14
XVII. STRIKES	_____	14
XVIII. CHARGES AND TRIALS	_____	14
XIX. CONVENTION AND CONFERENCE DELEGATES	_____	16
XX. ORDER OF BUSINESS	_____	17
XXI. AMENDMENTS	_____	17

## PREAMBLE

We, the members of Local 522 of the Utility Workers Union of America, affiliated with the American Federation of Labor and the Congress of Industrial Organizations, are aware of the fact that individual workers are at a distinct disadvantage in bargaining with their employer on wages, hours, working, and other conditions of employment, and that their voice is ignored in the making of decisions that vitally affect their welfare unless they are united with their co-workers in an industrial organization for the purpose of collective bargaining or other mutual aid and protection.

We believe it to be a natural right, a legal obligation, and a moral duty of workers to unite and associate with one another in bona-fide Labor Unions so that they may intelligently and democratically consider and process their common problems, achieve their common objectives, and select from their membership representatives of their own choice.

We stand for progress, and declare that we are entitled to a fair and equitable share of the fruits of our labor in order that we, and our dependents, may enjoy social, economic, religious, civil, and political freedom and security.

We pledge ourselves to unitedly work in behalf of the principles set forth herein; to perpetuate our Local Union and National Union on the basis of friendship and justice; to expound our objectives; to obey the laws and regulations laid down for our guidance and government; to always use our best efforts for our success, knowing as we do, that when we stay united, no reasonable demands that we make can rightfully be denied us.

## ARTICLE I NAME AND AFFILIATION

### Section A

This organization shall be known as Local 522 of the Utility Workers Union of America, AFL-CIO, with jurisdiction over those employees of the Southern California Gas Company who, by agreement, certification or other means it is authorized to represent.

### Section B

Local 522 shall always remain affiliated with the Utility Workers Union of America, affiliated with the American Federation of Labor and the Congress of Industrial Organizations.

### Section C

Local 522 may affiliate with the Los Angeles County Federation of Labor, AFL-CIO, or with the California Labor Federation, AFL-CIO, or with any organization endorsed or approved by the

National UWUA or AFL-CIO, by a majority vote of its membership when such affiliation is a proper order of business and without any commitment that such affiliation will remain indefinitely.

## ARTICLE II OBJECTIVES

### Section A

To protect, maintain and advance the interests of the workers, to improve working conditions, and to secure adequate remuneration for its members.

### Section B

To secure equal pay for equal work, regardless of race, creed, color, sex, age, or national origin.

### Section C

To extend Unionism on the basis of industrial organization; to secure legislation in the interest of all working people; to promote recognition and acceptance of true collective bargaining in industry, and to increase public understanding and support of the labor movement.

## ARTICLE III MEETINGS

### Section A

General membership meetings shall be held once a month. The number and locations of meetings shall be designated by the Executive Board. Seven (7) calendar days notice shall be given prior to the earlier date of any change in regular meeting dates.

### Section B

Special membership meetings shall be called by the President when in his/her judgment the need to arises, or when so instructed by a majority of the members of the Executive Board, or upon written request, signed by at least ten percent (10%) of the members in good standing, submitted to him/her. Notice of any special meeting shall be not less than seven (7) calendar days before the date of said meeting. The notice shall specify the purpose of such meeting and contain any other pertinent information. No other business except that specified in the notice shall be transacted at such meetings.

### Section C

Any member in good standing may attend, as an observer, any Executive Board meeting. Non Executive Board member active participation at these meetings will be at the discretion of the Executive Board.

## ARTICLE IV QUORUM

### Section A

All meetings of the Local Union must have a quorum present before conducting any official business except that in the event of an election, or any vote requiring official ballots is a part of the agenda, and said meeting cannot be held due to a lack of quorum, the presiding officer shall allow the members present in good standing to sign the roster and cast a ballot.

### Section B

The quorum for all general and special membership meetings will be a minimum of five (5) members plus a simple majority of the Executive Board.

## ARTICLE V OFFICERS AND DUTIES

### Section A

The officers of this Local shall be named as follows: President, Vice President, Secretary/Treasurer, and four (4) Trustees.

### Section B

Any member of Local 522 who meets the financial requirements of acquiring and maintaining membership in the Utility Workers Union of America, Local 522, and who has been a member for one (1) year or more prior to and including the date he or she is to be sworn in, shall be considered as a member in good standing and eligible for any Office as set forth in Article V.

### Section C – Duties of the President

1) The President shall be the Chief Administrative Officer of this Local and shall preside and preserve order at all regular or special meetings of the Local Union and of the Executive Board. 2) Shall exercise supervision over the affairs of the Local 522. 3) Shall sign official documents when required and when satisfied they are correct. 4) Shall co-sign with the Secretary/Treasurer, all checks for disbursement of any Union monies. 5) Shall appoint, subject to approval of the Executive Board or the membership, all Committees not otherwise provided for in this Constitution as may be necessary to properly conduct the affairs of the Union. 6) Shall be an ex-officio member of all Committees. 7) Shall not be entitled to a vote, at any regular or special

meeting of the membership of the Executive Board, unless the vote shall be deciding in case of a tie. However, in the event any vote is taken by secret ballot, he/she shall be permitted to cast his/her ballot. 8) Shall enforce the National Constitution as it affects the Local Union, and shall also enforce the constitution of Local 522. 9) Shall carry out the instructions of the Executive Board or the membership, and shall make a full report of his/her activities at each meeting of the Executive Board. 10) Shall consult with the Officers of other Unions on all appropriate matters, and report actions to the Executive Board. 11) Shall call special meetings of the Executive Board when deemed necessary, or when so instructed by a majority of the Executive Board members. 12) Shall perform such duties as are necessary, or that may be required by the Union to protect and advance its interest. 13) Shall be delegate to all Conferences and Conventions to which Local 522 sends delegates with Executive Board approval.

#### Section D – Duties of the Vice President

1) Shall perform the duties of the President in his/her absence. 2) In case the Presidents office is vacated for any reason, the Vice President shall fill said vacancy until the vacancies can be filled at the next regular election as provided in article VII, Section C. 3) Shall also preside when called upon by the President, and shall fulfill all other duties as may be assigned to him/her.

#### Section E – Duties of the Secretary/Treasurer

1) The Secretary/Treasurer shall have charge of, preserve and maintain all financial books, records, files, documents, and other effects of the Union. 2) Shall pay all current bills and expenses of the Union as authorized by approved statements or vouchers. 3) Shall co-sign with the President all checks for disbursements of monies of the Local, or in absence of the President, then with the Vice President. 4) Shall be responsible for the collection of all monies due to the Local and shall deposit such monies in the name of Local 522 in a bank or banks approved by the Executive Board. 5) Shall supply written itemized monthly financial reports on monies received, paid out and still in deposit, at each Executive Board meeting, also at General Membership meetings said report will be available. 6) Shall not disburse monies in any manner other than set forth in this constitution. 7) Shall have charge of the Official Seal of the Local Union and shall affix it to all Official documents. 8) Shall conduct the correspondence pertaining to his/her duties, maintaining copies of all correspondence sent out and received. 9) Shall, in cooperation with the President, be responsible for being in compliance with all applicable Federal and State laws. 10) Shall arrange to have the books audited semi-annually by the Trustees. At the end of the fiscal year, shall engage an accredited Public Accountant to make the yearly audit of the financial accounts. 11) Shall submit a written itemized report of all such audits to the next Executive Board meeting, and send a copy of such report to the National Secretary-Treasurer. 12) Shall perform such duties as pertain to this office. 13) Shall keep and file a true record of all Executive Board and Membership meetings. 14) Shall conduct the correspondence pertaining to his/her duties, maintaining copies of all correspondence sent out and received by Local 522.

### Section F – Duties of the Trustees

1) The duties of the Trustees shall be to audit all books and records of Local 522 semi-annually, and to take inventory, at least once a year, of all property of Local 522. 2) They shall report to the National Union on each audit and inventory by the first General Membership meeting following such audit. Copies of the report to the National Union shall be made available at the next general memberships meeting. 3) They shall attend to the bonding of the President, Vice President, Secretary/Treasurer, and such other bonding of Officers as is deemed necessary.

### Section G – Duties of Shop Steward

1) Protecting workers' rights by handling grievances and by watching for violations of the contract or labor laws. 2) Building the Union. It will be up to the Steward to strengthen the Union and build support for its program among the workers they represent. 3) Must tell the workers about Union activities. 4) Must build loyalty and support the Union goals.

### Section H

The President and Vice President and Secretary/Treasurer of this Local shall be bonded in an amount equal to ten percent (10%) of the assets of the Local. All Local Officers, at the expiration of their term of Office, shall deliver to the Trustees all monies, books, papers and all other property of the Local in their possession and shall not be relieved from their bond or obligation until all books are audited and said deliverance has been completed.

## ARTICLE VI EXECUTIVE BOARD

### Section A

The Executive Board shall consist of all elected Officials as set forth in Article V, Section A. A simple majority of the Executive Board shall constitute a quorum for transaction of Official business. An accredited member of the National Union shall be an ex-officio member of the Executive Board.

### Section B

The Executive Board shall conduct the normal business of Local 522 and authorize disbursements of monies as they deem necessary, but limited to a single item of five hundred dollars (\$500.00), and a total not to exceed ten thousand dollars (\$10,000.00) quarterly. The Executive Board shall meet quarterly. Special meetings may be called when deemed necessary by the President or a majority of the Executive Board. Any action of the Executive Board shall be subject to the approval of the membership.

## ARTICLE VII ELECTIONS

### Section A

Ten (10) days prior to the regular meeting in July, the Secretary/Treasurer shall mail, to the last known address of all members, notice of nominations and elections for the office of President, Vice President, Secretary/Treasurer and Trustees as provided for in Section B of this article. The notice shall specify that Nominations will take place from the floor at the July and August meetings, and that the election of these Officers will be conducted through a secret ballot, mail referendum, during the month of September. Self-nomination is permitted. Members who are absent at the time nominations are made may Self-nominate and/or accept nomination by a written proxy presented by their representative to the presiding officer during the time nominations are being taken. During the months of July and August the Election Board will close Nominations for each office before proceeding to the next, and will not reopen Nominations for offices that have been closed.

### Section B

The order of nominations shall be (1) President, (2) Vice President, (3) Secretary/Treasurer, (4) Trustees. The terms of Office shall be for two (2) years. The President and two (2) Trustees will be elected in even numbered years. The Vice President, Secretary/Treasurer and two (2) Trustees will be elected in the odd numbered years. No member may accept nomination for more than one of these offices for the same term. There shall be neither write-in candidates nor write-in votes.

### Section C

Officers shall be elected by secret ballot through mail referendum. Not later than the tenth (10) day of September the ballots shall be sent out as first class mail to the last known address of all members of this Local Union. Ballots shall be in printed form, and shall be accompanied with a plain envelope, a self-addressed, stamped envelope for return mail, voting instructions, and shall state that they must be returned no later than midnight, September 30<sup>th</sup>, to a Post Office Box selected by the Election Board. The Election Board shall consist of not less than three (3) Committee Members selected at the June General Membership meeting. They shall work under the supervision of the Executive Board, and shall be responsible for the proper conduct of the elections. The Election Board shall count all valid ballots, make a tally of same, and cause the results to be published as soon as possible. The Candidate for each office receiving the highest number of votes shall be declared elected. In the event of a tie vote, the run off shall take place at the next General Membership meeting. No Officer or Candidate for any office shall serve on the Election Board.

#### Section D

Any member of Local 522, and who has been a member for one (1) year or more prior to and including the date He or She is to be sworn in and is in good standing, may be eligible for any office as set forth in Article V, Section A and B.

#### Section E

The new Officers shall be sworn in at the November General Membership meeting, and shall take office immediately. Each elected Officer shall hold office two (2) years, or until his/her successor takes office.

#### Section F

No member of this Union shall hold more than one (1) office at the same time, nor be a candidate for more than one (1) office at the same time.

#### Section G

The Election Board Committee shall distribute the ballots, make provisions for receiving all voted ballots, properly count all ballots, and shall take all reasonable precautions to guarantee the honesty and secrecy of the vote. All counted ballots shall be returned to the Union Headquarters for safekeeping. The candidate receiving the highest number of votes shall be elected. A candidate nominated and having no opposition shall be declared by the Election Board Committee Chairperson as elected to their respective office, with the exception of the offices of President, Vice President or Secretary-Treasurer, who must be elected UWUA National Convention Delegate by secret ballot.

#### Section H

The officers of the Local serving as President, Vice President and Secretary-Treasurer when elected to office shall also be elected as Delegate to the National Union convention, and the nomination and election process for officer and the ballots shall include "UWUA National Convention Delegate." At the regular membership meeting four (4) months prior to the UWUA National Convention, the membership, shall by a simple majority vote, decide the number of additional Delegates and/or Alternates, to the UWUA National Convention. If additional Delegates are voted for, then at least ten (10) days prior to the next regular meeting, notices shall be sent to all members notifying them that nominations for UWUA National Convention Delegates will be taken at the next regular membership meeting and the voting for the delegates will take place at the following regular membership meeting.

## ARTICLE VIII VACANCIES OF OFFICE

### Section A

Any Officer who is absent from two (2) meetings of this Local's General membership and/or Executive Board, without being excused by the Executive Board, may have his/her Office declared vacant by the Executive Board. (Any delegate absent from two (2) consecutive meetings of any organization without satisfactory excuse may have his/her Office declared vacant by the Executive Board.)

### Section B

The President shall have the authority to fill any vacancy by appointment, subject to the approval of the Executive Board. The appointee selected shall assume office immediately, and shall serve until the vacancies can be filled at the next regular election as provided in Article VII, Section C. All other vacancies shall be filled at the regular election as provided in Article VII, Section C. Should vacancies in the trustee positions require more than two positions be filled, the position shall be filled as follows: (2) Trustees (2-year terms) shall be filled by the persons receiving the highest and second highest number of votes. If a third is required (1) Trustee (1-year term) position shall be filled by the person receiving the third highest number of votes. If a fourth is required (1) Trustee (1-year term) position shall be filled by the person receiving the fourth highest number of votes.

### Section C

If, during a regular election, a candidate for office shall become ineligible to hold the office for which he/she is contesting by virtue of promotion, transfer or other reason or in writing declares his/her intention of not serving if elected, Section B of this Article will apply should he/she receive the highest number of votes for the office.

## ARTICLE IX AFFIRMATION

### Section A

The new member shall subscribe to the following affirmation:

"I (speak your name) pledge my honor to faithfully observe the by-laws of this Union; to comply with all the rules and regulations thereof; not to divulge or make public any of the private proceedings of this Union; to faithfully perform all duties assigned to me to the best of my ability and skill; never discriminate against a fellow worker because of race, creed, color, sex, age or national origin; to conduct myself at all times in such a manner so as not to bring reproach upon my Union, and at all times to bear true and faithful allegiance to the Utility Workers Union of America, AFL-CIO."

## Section B

Before entering upon the duties of their respective offices, the newly elected Officers shall subscribe to the following:

"I (speak your name) do hereby pledge my honor to perform the duties of my office as required by the Union's by-laws: to bear true and faithful allegiance to the Union and the Utility Workers Union of America AFL-CIO, to deliver all books, papers and other property of the Union that may be in my possession at the end of my term to my successor in office, and at all times conduct myself as an Officer and loyal member of the Union."

## ARTICLE X MEMBERSHIP

### Section A

Initiation fee of this Union shall be the current monthly dues for all members. The fee must accompany the application, along with the current monthly dues or the authorization of payroll deduction for Union dues form properly signed for the current month's dues. The initiation fee to be sent to the Utility Workers Union of America National Office shall be in conformance with Article VI, Section two (2) and three (3) of the National Constitution. If application is made after the twenty-fifth (25) day of the month, the dues shall be credited to the following month. Membership in this Local shall be confined only to those who can meet the provisions of Article III, Section 5, of the Utility Workers Union of America National Constitution.

## ARTICLE XI DUES AND ASSESSMENTS

### Section A

The dues of the Local 522 shall be the current monthly dues plus the National annual per capita adjustment per month per member.

### Section B

Any member whose dues fall one (1) month in arrears shall be duly notified and given thirty (30) days to rectify the delinquency. Should the delinquent member fail to rectify the delinquency prior to the expiration of the grace period, the Executive Board is empowered to suspend him/her from all rights and privileges of membership.

### Section C

The reinstatement fee of Local 522 shall be the sum of one month dues plus current month's dues and all back dues. However, exceptions may be made by the Executive Board. All reinstatements must have the approval of the Executive Board.

## Section D

No assessment shall be levied upon the members unless voted in by a two thirds (2/3) majority of the members returning their mail referendum secret ballot. Prior approval must be obtained from the National Executive Committee.

## ARTICLE XII MONIES

All persons collecting dues, initiations or assessments, shall give an official receipt and shall pay all monies collected to the Secretary/Treasurer. This shall be done at least once each month. Whenever money changes hands among members of this Union, a receipt or voucher shall be given.

## ARTICLE XIII OFFICERS EXPENSE

### Section A

The Secretary/Treasurer shall receive an allowance of \$100.00 per month, for expenses.

### Section B

All Executive Board members shall be reimbursed for any expenses incurred in carrying out their duties for The Local. These Executive Board members shall keep an itemized list of accrued expenses, and shall present it to the Executive Board for approval. If such itemized list is not presented, the bill shall not be paid. The Secretary/Treasurer shall keep these lists on file.

### Section C

Any member of this Union who is assigned to do work for the Local requiring the loss of working time or vacation time shall be paid his scheduled rate by the Local, according to the current agreement with the company, the reasonable expenses approved by the Executive Board, (2/3 majority).

## ARTICLE XIV NEGOTIATING COMMITTEE

### Section A

The Negotiating Committee shall consist of the President, Secretary/Treasurer and or Vice President. When negotiations for a signed Agreement with the Company involves all the Local Unions within the Southern California Gas Company, the Negotiating Committee shall work in cooperation with the other Locals. Should Local 522, UWUA, negotiate separately with the

Company, the five man Sub-negotiating Committee shall consist of the President and one from each Department that Local has been certified to represent, appointed by the Executive Board of Local 522.

#### Section B

All contract ratification votes of this Local will be conducted by secret ballot mail referendum, If action on Contract ratification is taken in conjunction with other Locals in a Council, the by-laws of such Council shall prevail. In any case, a simple majority shall decide acceptance or rejection on a Contract ratification vote.

#### Section C

A member shall have the right to submit any Contract proposal to the Local at a regular or special membership meeting; however, such proposal must receive a majority vote of the membership present and voting to be considered for a Contract demand.

### ARTICLE XV STANDING COMMITTEES

#### Section A

The Executive Board shall consider the advisability of Legislative Committees, Activities Committees, Working Rule Committees and Membership Committees. Should the Executive Board decide to affirmatively recommend the establishment of such a Committee or Committees; they shall be for a given term and be dismissed at the conclusion of their work. The President has the duty of Committee appointments.

#### Section B

Labor-Management Committees shall be created to work with Management Representatives for the purpose of raising funds for appeals and charities, and for the advancement of community and National institutional work for which there is a common Labor Management effort; such Labor-Management Committees to exist only if Management desires common Union and Management effort on these items. The Committees shall consist of the affected Committee Chairperson and Stewards chosen by the President with the approval of the Executive Board.

**ARTICLE XVI  
WITHDRAWALS AND TRANSFERS**

**Section A**

Withdrawal and transfer cards shall be issued according to the rules of the AFL-CIO and the Utility Workers Union of America.

**ARTICLE XVII  
STRIKES**

**Section A**

If a controversy exists between this Union and Management, which may develop into a strike or a lockout, the Negotiating Committee shall confer with the Management, or a representative thereof, to endeavor to secure an amicable settlement. Should no adjustment prove possible, and then a strike vote may be taken.

**Section B**

All strike votes shall be taken by secret ballot mail referendum and must show a two thirds (2/3) majority of the participating membership in favor of a strike before a strike may be called, except that if a strike vote is taken in conjunction with other Locals in a Council, the by-laws of such Council shall prevail.

**Section C**

A full report shall be submitted to the proper representatives of the National Union, or its authorized agent, for his/her approval in accordance with the Utility Workers Union of America National Constitution.

**ARTICLE XVIII  
CHARGES AND TRIALS**

**Section A**

When a member of this Union is accused of committing an offense prejudicial to the best interest of this Union, including but not limited to, crossing a legally established picket line of this Union (commonly known as strike-breaking), and is found guilty of such offense by the Trial Committee, subsequently upheld by a secret ballot vote of the majority of the membership present and voting at the membership meeting at which the Trial Committee, or member of the Trial Committee, makes its report, the accused, he or she (singular or plural), will be fined, suspended or removed from the Union membership. However, any fine shall be imposed and collectible, prior to any suspension or removal from the Union membership.

### Section B

All charges against a member of the Local Union must be made in writing, signed by the member making the charges, and must be represented to the Local Executive Board by certified mail. Charges must be submitted within sixty (60) days of the time the complainant becomes aware of the alleged offense.

### Section C

The Local Executive Board shall be designated as the Trial Committee, and neither the person that filed the charges nor the person accused may be a member of the Trial Committee.

### Section D

Within (7) calendar days after the charges have been filed, the Union shall forward a copy of the charges to the accused member or members, to his/her last known address by certified mail together with a written notice of the time and location when the hearing will take place before the Trial Committee. The hearing shall take place not less than seven (7) calendar days from the date of the mailing of the charges to the accused member.

### Section E

A charged member may have a UWUA member in good standing as Counsel; however, no attorney as such may serve as counsel in a hearing of the Trial Committee. No person not a UWUA member may be present at such hearing except as a witness. The Trial Committee or a member of the Trial Committee, upon completion of the hearing shall submit its report to the next General membership meeting. At the General membership meeting of Local 522, the accused shall be accorded full opportunity to present his/her position on all matters bearing upon his/her trial and the report of the Trial Committee. The report of the Trial Committee shall become effective only upon the approval of a majority vote of the General membership present and voting by secret ballot at the General membership meeting.

### Section F

A report of the Local Union's decision shall be forwarded immediately by certified mail to the accused, the National Union and the accuser.

### Section G

The accused or the accuser may appeal from the decision of the Local Union within thirty (30) days of the mailing of the Local Union's decision to the parties by presenting the appeal in writing to the National Executive Board.

**Section H**

An appeal from the decision of the National Executive Board may be made to the National Convention by giving notice to the National Secretary-Treasurer thirty (30) days prior to the convening of the Convention.

**Section I**

An elected Officer of this Local may be recalled in conformity with the provisions as stated in the foregoing sections of this Article.

**Section J**

In no case shall a member or subordinate body (Local Union or Council) appeal to a Civil Court for redress until he/she or it has exhausted his/her or its rights of appeal under the Constitution of the National Union.

**ARTICLE XIX  
CONVENTION AND CONFERENCE DELEGATES**

**Section A**

This Local shall participate in all Conventions and Conferences of organizations with which the Local is affiliated unless the membership, at regular or special meetings, shall decide to the contrary by a simple majority vote. If more than one (1) delegate is to attend any Convention or Conference, with the exception of the UWUA National Convention Delegates, the additional delegates will come from the Executive Board. To determine the additional delegates, a secret ballot will be conducted by the Executive Board. A delegate to any Convention or Conference must be a member in good standing.

**Section B**

The President shall attend, preside over, and make comprehensive report of all delegations of this Local. If for any reason this is not possible, the Vice President or Secretary/Treasurer shall assume these duties as provided by Article V, Section D and E.

**Section C**

If necessary, all delegates shall receive an advance draft, the amount of which shall be determined by the Executive Board. The Executive Board shall direct and determine all expenditures for any and all Conventions and Conferences.

**ARTICLE XX  
ORDER OF BUSINESS**

**Section A**

The following Order of Business shall be used at all regular meetings of this Local unless a special Order of Business is voted by a majority of the members present:

1. Flag Salute
2. Roll call of Officers
3. Reading and approval of Minutes
4. Report of Officers
5. Communications
6. Report of Committees
7. Unfinished Business
8. New Business
9. Good and Welfare of the Union
10. Election of Officers and Installations
11. Adjournment

**Section B**

Unless otherwise provided for in the Constitution, Roberts Rules of Order shall prevail.

**ARTICLE XXI  
AMENDMENTS**

All proposed Amendments to this Constitution must be submitted in writing and in duplicate, one (1) copy of which shall be given to the President or presiding officer, and one (1) copy of which shall be filed with the Secretary/Treasurer. A copy of the proposed Amendment shall be mailed to all members in good standing. A vote on the proposed Constitutional Amendment shall be conducted by mail referendum. It shall require a two-thirds (2/3) majority of the ballots cast to carry such an Amendment. Prior approval of the National President must be obtained before any Amendment can take effect.