

CONSTITUTION AND BYLAWS

As Adopted By The

**INTERNATIONAL ASSOCIATION OF
HEAT AND FROST INSULATORS
AND ALLIED WORKERS**



30TH QUINQUENNIAL CONVENTION

LAS VEGAS, NEVADA • JULY 16-18, 2012

**International Association of
Heat and Frost Insulators
and Allied Workers**

HEADQUARTERS

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Affiliated with the

AFL-CIO

**Building and Construction Trades Department
Metal Trades Department
Canadian Labour Congress**

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CONSTITUTION

and

BYLAWS

International Association of Heat
and Frost Insulators and
Allied Workers



PREAMBLE

The objects of the International Association of Heat and Frost Insulators and Allied Workers shall be to defend by all legal and honorable means the rights of its membership, to advance their interests as workers, to develop opportunities for employment in the trade and by education and cooperation to raise them to that position in society to which they are justly entitled.

The delegates of this Thirtieth Quinquennial Convention do hereby, in convention assembled at Las Vegas, Nevada, enact, declare and establish the following as the Constitution, By-laws and Future Rules of Government of the International Association of Heat and Frost Insulators and Allied Workers and its affiliated local unions.

Various articles, sections, clauses and provisions of this Constitution establish certain conditions of membership and are neither intended to be nor established as conditions of individual or collective employment. Nothing herein is to be interpreted in such a manner as to require discrimination against any individual in regards to job referrals, hire, or length or termination of employment. All articles, sections, clauses and provisions of this Constitution shall be interpreted and applied in the light of this provision.

CONSTITUTION

ARTICLE I

Title

Section 1. This organization shall be known as the International Association of Heat and Frost Insulators and Allied Workers.

Section 2. Its headquarters known and mentioned as the General Office shall be located in the metropolitan area of Washington, D.C.

ARTICLE II

Jurisdiction and Authority

Section 1. The International Association of Heat and Frost Insulators and Allied Workers shall have supreme ruling authority and supervision over all its affiliated local unions.

Section 2. Its power shall be Legislative, Executive and Judicial.

ARTICLE III

Membership

Section 1. All persons of good and moral character at work in the manufacturing, fabrication, assembling, molding, handling, erection, spraying, pouring, mixing, hanging, preparation, application, adjusting, alteration, repairing, dismantling, reconditioning, corrosion control, testing, maintenance, removal, and clean up of heat, frost, or sound insulation, such as magnesia, asbestos, hair felt, wool felt, cork, mineral wool, infusorial earth, mercerized silk, flax fiber, fire felt, asbestos paper, asbestos curtain, asbestos millboard, fibrous glass, foam glass, styrofoam, polyurethane, polystyrene, metals, plastics, fibrous matt, roving and resins, acoustical sound pads, or other materials used in our craft, or substitutes for these materials, or engaged in fire stopping (which includes the application of materials or devices within or around penetrations and openings in all rated wall or floor assemblies to prevent the passage of fire, smoke or other gases, sealing of penetrating items and blank openings, and all components involved in creating the rated barrier at perimeter slab edges and exterior cavities, the head of gypsum board or concrete walls, and joints between rated wall or

floor components), clean up or removal of toxic waste or hazardous materials, including lead, or any labor connected with the handling or distributing of insulating materials on job premises, including the operation of all equipment associated with the work described in this section, are eligible for membership.

Section 2. Applicants for membership shall comply with local union laws governing same, including any requirements for examinations.

Section 3. (a) Applicants for apprentice or improver membership shall comply with all local union and International Association laws governing same. To be eligible, they must be not less than eighteen (18) years of age. They shall be subject to physical examination by a physician selected by the local union, and all applications for apprentice or improver membership must be accompanied by a birth certificate or baptismal certificate which will be retained in the local union files. Each insulation construction local union must adopt the National Curriculum recommended by the Insulation Industry International Apprenticeship and Training Fund as a minimum standard.

(b) Each insulation construction local union shall establish an intermediate me-

chanic program. This program will evaluate and provide enhancement and upgrade training, for newly organized and current members, in accordance with guidelines established by the International Association.

Section 4. Where a local union has an approved indentured apprenticeship program, cancellation of an apprentice's agreement, for a just cause, after notice and hearing by the Joint Apprenticeship Committee, shall automatically cancel his membership in the International Association of Heat and Frost Insulators and Allied Workers and the local union.

There will be no appeal to the International Association of Heat and Frost Insulators and Allied Workers by an apprentice on cancellation of his membership.

In the event of cancellation of an apprentice's agreement, the local union financial secretary shall report it to the General Office on the Financial Secretary's Monthly Report.

Section 5. Improvers and apprentices shall serve a period of four (4) or five (5) years at the craft, whichever is required by the applicable improvership or apprenticeship program (a minimum of sixteen hundred (1,600) working hours in a twelve (12) month period shall constitute a year, unless a lesser number is ap-

proved by the General Office), and as a condition of maintaining such status during such time they will be paid at a maximum of five rates which shall be in the minimum amounts of fifty (50), sixty (60), seventy (70), eighty (80), and ninety (90) percent of the mechanic hourly rate for the first (1st), second (2nd), third (3rd), fourth (4th), and, if applicable, fifth (5th) years respectively, after which they will be entitled to apply for mechanic's examination, which examination shall be conducted by a joint committee of the local and employers. An improver or apprentice failing to satisfactorily pass this examination shall not be re-examined within six (6) months. The rates for improvers and apprentices may be modified when necessary to acquire and protect the work of our trade and its members.

Section 6. Apprentice or improver membership shall be granted in such numbers as to have available a ratio of one (1) apprentice or improver to three (3) mechanics employed in a shop. No apprentice or improver shall execute work unless in company with a mechanic, except when authorized by the Business Manager. Apprentices or improvers shall, under no circumstances, be recognized as mechanics.

Section 7. Applicants for apprentice or improver membership shall, when accepted for membership, make payment of fifty percent (50%) of the initiation fee charged mechanic applicants, and shall pay local union dues in the amount determined by the local union. After passing the usual mechanical examination, payment of the remaining fifty percent (50%) of the initiation fee shall be made, at which time after the mechanic membership has been granted, they will be obligated to full membership in the local union, and only then will they be entitled to vote in local union meetings. Until then, apprentices or improvers will be permitted to attend any and all local union meetings, with a voice but without a vote in such meetings. Each local union may determine when applicants for membership, other than applicants for apprentice or improver membership, are obligated to pay all or part of an initiation fee.

Section 8. All local union members must be registered at the General Office for purposes of identification and also to determine their standing in the trade.

Section 9. Applicants for membership will make application on an official form supplied by the General Office.

Section 10. Application forms shall be filed by the local union and forwarded by electronic means to the General Office within ten (10) days for investigation, registration, and issuance of membership card designating the member's proper classification. There will be a charge of ten dollars (\$10) for all original membership cards and ten dollars (\$10) for all replacement membership cards.

Section 11. A mechanic applicant accepted by a local union must pay dues and full initiation fee to said local before being obligated and declared a member, which in all cases must be with the consent of the International Association.

Section 12. A member of a local union must furnish and use such craft tools as are determined by the local union officers or Joint Trade Board to be necessary in the upholding of the standard of material application.

Section 13. Obligation for apprentices, improvers or helpers.

"I,, without mental reservation, do solemnly swear on my honor to uphold the Constitution and Bylaws of the International Association and Local Union No. and to carry out their just de-

mands during the period of my apprentice/improver/helper membership. I will support the rights of all workers to organize. I will support the goals of the International Association and Local Union No. to organize all workers in our industry into local unions. I shall do all in my power to aid and assist my fellow apprentice/improver/helper members as well as the mechanic members of the local, and shall comply with all local union laws while an apprentice/improver/helper member.”

Obligation for mechanic or other members.

“I,, without mental reservation, do solemnly swear on my honor to uphold the Constitution and Bylaws of the International Association and Local Union No., and to carry out their just demands. I will support the rights of all workers to organize. I will support the goals of the International Association and Local Union No. to organize all workers in our industry into local unions and I shall do all in my power to aid and assist my fellow members.”

Section 14. Members are permitted to maintain membership in both an asbestos abatement regional local union and a non-asbestos abatement regional local union. Members of one type of local union applying for

membership in the other must meet any requirements established by that other union for acceptance into membership. In no event may a member represent more than one local union as a delegate to the convention of the International Association.

ARTICLE IV

Funds

Section 1. The general funds of the International Association shall be derived in accordance with convention law; *i.e.*,

(a) All local unions are required to pay the local union charter fees of five dollars (\$5) per charter applicant; with a minimum charter fee of twenty-five dollars (\$25); ten percent (10%) of all initiation fees; twenty-five dollars (\$25) of reinstatement fees; and fifty dollars (\$50) for re-registration fees (charged all previous members when re-affiliating).

(b) Except as set forth in subsections (c) and (d), all local unions shall pay a monthly membership per capita tax of fourteen dollars (\$14); and a working assessment equal to one half of one percent (1/2%) of each member's hourly wage for each hour worked.

(c) All local unions shall pay on behalf of all members engaged in asbestos abatement a monthly membership per capita tax of three dollars (\$3); and a working assessment equal to one-half of one percent (1/2%) of each member's hourly wage for each hour worked.

(d) All local unions shall pay on behalf of all members holding a fire stopping technician card a monthly membership per capita tax of six dollars (\$6); and a working assessment equal to one-half of one percent (1/2%) of each member's hourly wage for each hour worked.

Section 2. Should at any time the general funds of the International Association fail to meet its expenses, the General Executive Board may levy a general membership assessment, or may increase the per capita tax, in an amount necessary to meet the financial requirements. If the Board levies a general membership assessment as herein provided, local unions shall be responsible for collecting and forwarding the amounts levied within the time specified by the Board. For failure to do so, they may be suspended, after due notification by the General Secretary-Treasurer, until the proper amounts have been forwarded to the General Office. If the per capita tax is raised by the Board as herein provided, the monthly local union dues

of each and every member of the International Association shall automatically be increased in the amount of the per capita tax increase enacted by the General Executive Board. The General Executive Board may reduce or rescind any assessment levied pursuant to this section. Unless rescinded, any such increase in per capita tax shall remain in effect until the next International Convention, which shall then decide whether such increase should be continued.

Section 3. The fiscal year of the International Association shall be the calendar year.

Section 4. In order to encourage the organization and admission of new members, the General Executive Board is authorized to waive the monthly membership per capita tax, for newly-organized members, for up to, but no more than, their first twelve months of membership. The General Executive Board may discontinue any waiver implemented pursuant to this section, whenever in its judgment such action is warranted.

ARTICLE V Conventions

Section 1. The International Association

shall convene quinquennially in August. The date and place shall be decided by the General Executive Board at the regular Board session between conventions.

Section 2. Seven (7) delegates regularly nominated, elected and credentialed, representing seven (7) affiliated local unions in good standing shall constitute the quorum number under which the convention of the International Association shall transact its business.

Section 3. Affiliated local unions in good standing must be represented by delegates who have been regularly nominated, elected and properly credentialed in accordance with the provisions of this Constitution, including Section 6 of this Article.

Section 4. Ninety (90) days prior to the convention, affiliated local unions with all International arrearages paid up to and including the month of March, preceding the convention, can be represented by one (1) delegate and by additional delegates in the ratio of one (1) for every one hundred (100) of their good standing per capita membership or any fraction thereof up to one thousand three hundred (1,300) and thereafter in the ratio of one (1) for every five

hundred (500) of their good standing per capita membership or any fraction thereof. The good standing per capita membership of local unions shall be that membership upon which said local union has paid the General Office each month for the four months immediately prior to and including the month of March preceding the convention.

Section 5. The General Executive Board is authorized to continue the Convention Fund, providing for the paying of International convention expenses and the compensation of delegates and to provide by rules and regulations the extent and manner in which such fund will be disbursed.

Section 6. The president, business manager, business agents (if elected), all full-time officers and the vice president will automatically, by virtue of their office, be delegates to the International Convention, provided that the provision for these combined offices shall not increase the number of delegates otherwise provided for by Section 4 of this Article.

If the number of those serving in the offices listed above exceeds the number of delegates to which a local union is entitled, officers shall be selected as delegates in the order listed in this paragraph.

Additional International convention delegates and alternates must be nominated and elected at meetings of their local unions. Except in asbestos abatement regional local unions, a member, to be eligible, must have been a member of our International Association for five (5) years, must have worked as a mechanic for at least two (2) years and shall have been in continuous good standing for two (2) years and in attendance at a majority of the regular local union meetings held during the past twelve (12) months prior to date of nomination for convention delegates. In asbestos abatement regional local unions, a member, to be eligible, must have been in continuous good standing for six (6) months prior to the date of nominations for convention delegates. In the event an elected delegate is unable to attend the convention, for any reason, the candidate receiving the next highest vote in the descending order from those delegates elected shall be the first alternate and shall be entitled to substitute for any delegate unable to attend the convention. This process shall be repeated for each additional delegate who is unable to attend the convention.

Section 7. The General President, the International Vice Presidents, the General Secretary-Treasurer, and any officers of the Interna-

tional Association given emeritus status must by virtue of their office, be seated as convention delegates. The convention delegates will be comprised of the General President, the International Vice Presidents, the General Secretary-Treasurer, officers of the International Association given emeritus status and the local union delegates as set forth above.

Section 8. Convention delegates and alternates must comply with the terms and conditions contained in convention credentials supplied their local unions by the General Secretary-Treasurer before being seated at conventions. Credentials for all convention delegates and alternates must be forwarded to the General Office no later than forty-five (45) days prior to the convening date of a convention, except that no delegate or alternate shall be denied a seat if the failure to comply with this requirement results from an emergency situation. No proxy can be recognized at a convention of the International Association of Heat and Frost Insulators and Allied Workers.

Section 9. All decisions of a convention shall be reached by a majority vote. Each delegate at all times shall cast one (1) vote, his own, and no other.

Section 10. All resolutions to be considered by a convention of our International Association must be previously endorsed by a local union of which the introducer is a member, and an individual copy of each resolution forwarded to the General Office by registered mail not later than ninety (90) days prior to the convening date of the convention. The General Office shall forward copies of all such resolutions to all affiliated local unions not later than forty-five (45) days prior to the convening date of a convention, for the purpose of information only and no local will take official action endorsing any such resolutions or instructing their delegates therewith. Resolutions may, however, be introduced at any session of our convention by the General President or General Secretary Treasurer or by unanimous vote of the convention delegates. Any proposal from the General Office that, if adopted, would require an increase or reduction of funds of the International Union will be presented on the first day of the convention and voted on during a subsequent day.

Section 11. Whenever it deems it in the best interest of the convention, the General Executive Board may authorize any of the convention committees to convene prior to the opening of the convention, but no more than

one week prior thereto. The General President shall appoint the following committees:

1. Rules.
2. Finance and Audit.
3. Grievance and Appeals.
4. Resolutions.
5. General President's Report.
6. General Secretary-Treasurer's Report.
7. General Executive Board's Report.
8. Constitution and Bylaws.
9. Naval Shipyards.
10. Credentials.

All committees shall consist of eighteen (18) delegates, two (2) from each conference and two (2) at large.

Immediately after the convention opens, the Credentials Committee shall report, and the convention organize.

Section 12. Order of Business.

1. Calling convention to order.
2. Appointing and receiving report of Credentials Committee.
3. Seating of delegates.
4. Appointing and receiving reports of Rules Committee.
5. Appointment of other committees.
6. Nominations will be conducted on the first day of the convention.

7. Reports to officers.
8. Reports of committees.
9. Election of all International officers will be the first order of business on the second day of the convention.
10. The installation of officers.
11. Adjournment.

A candidate may be nominated for only one International office. Any candidate for the office of General President or General Secretary-Treasurer shall not be eligible for nomination to any other office, including office of Vice President.

Section 13. This Constitution can be amended by majority vote at a regular session of the convention. The Constitution and By-laws Committee shall meet at the start of the convention or within a week prior thereto at the direction of the General Executive Board. This committee shall consider all proposed amendments to be submitted to the convention and shall issue a printed report to the convention. Only proposed amendments submitted by a local union, and recommendations of the International officers, shall be considered.

Section 14. After conclusion of the convention, the Constitution and Bylaws and any resolutions adopted by the convention shall

be sent in electronic form to each affiliated local union. When available, printed versions of those documents shall be sent to any local union that requests them.

ARTICLE VI

International Officers and Elections

Section 1. The officers of the International Association shall consist of a General President, General Secretary-Treasurer, and ten (10) International Vice Presidents of equal rank, one (1) of whom shall be a member of an affiliated Canadian local union located in Ontario or a province east of Ontario, one (1) of whom shall be a member of an affiliated Canadian local union in a province west of Ontario, one (1) shall be elected at large and one (1) shall come from within the boundaries of each of the seven (7) conferences in the United States. They shall constitute the International Association Executive Board. No two of these officers shall be members of the same local union.

Section 2. International officers shall be elected at convention. Only seated delegates shall be eligible for office. A name properly presented and duly seconded shall be considered as a nomination provided, the candidate

is present and does not decline. Nominations shall not close until the Chair asks, "Are there further nominations?" after which, none being heard, they shall be closed.

Section 3. The nomination and election of officers shall be in the following order: President, Secretary-Treasurer, Vice Presidents. There shall be an individual nomination for each office. The elections shall be decided by majority vote by secret ballot. The election shall be supervised by an Election Committee of five (5) appointed by the General President, which may not include any candidates for office, and which shall distribute and receive ballots, and tally and announce all results in the presence of the convention.

Should no candidate receive a majority of all votes cast upon the first ballot for an office, then there shall be a new ballot taken, and all candidates shall be dropped from the list except the one who received the highest number of votes and the one receiving the next highest number of votes.

Section 4. Officers shall be pledged by the convention as follows:

"I,, without mental reservation, do solemnly and sincerely pledge my

word and honor to faithfully discharge the duties of my office, that I will support the Constitution and Bylaws of the International Association and enforce the same to the best of my ability, without prejudice or partiality.”

ARTICLE VII

General President

Section 1. The General President shall preside at all sessions of the International Association and conduct same according to parliamentary rules in accordance with the Constitution.

Section 2. He shall preside at local union meetings when he so decides.

Section 3. He shall be the official business representative and chief organizer of the International Association. He shall be authorized to take whatever steps are necessary to acquire and protect the work of our trade and its members. He shall be authorized to sign agreements on behalf of the International Association when in his judgment doing so would be in the best interests of the International Association.

Section 4. He shall be an ex-officio member of all local union committees and boards.

Section 5(a). The General President shall have authority to order an audit of the finances of any local union whenever he deems such action necessary for the protection of the International Association, the local union or its members.

(b). He shall have the authority to remove or suspend any local union officer, representative or agent, or impose on such officer, representative or agent any other sanction or remedy he deems appropriate, for any failure to carry out the provisions of the International Constitution and Bylaws, or for failure to observe or carry out all lawful decisions or instructions of the General President, General Secretary-Treasurer or General Executive Board. In any such case, the General President may fill such office or position by appointment of a successor to the officer, representative, or agent so removed or suspended; provided that, within a reasonable time (usually fifteen (15) days) after such action, a notice of hearing before the General President, or before a hearing officer designated by the General President who shall conduct the hearing for the purpose of taking evidence and reporting same to the General President, shall be issued.

The General President shall then decide whether to continue the removal or suspen-

sion in question. The decision of the General President may be appealed to the General Executive Board, provided a notice of appeal is filed with the General Secretary-Treasurer within thirty (30) days of the decision of the General President. The decision of the General Executive Board on appeal may be appealed to the next convention of the International Association. Full compliance with any decision issued, including payment of any fine imposed, shall be a condition of filing an appeal with either the General Executive Board or the convention.

Section 6. The General President or his designated representative may prefer charges against any local union member who, in his judgment, is violating the Constitution, or who is interfering or attempting to interfere with the rights of members under working agreements or under the Constitution. Any member against whom charges are preferred shall be so notified by the General President and advised of his right to appear in his own defense before the General Executive Board or a representative appointed by the General President (who may be a member of the General Executive Board) to conduct a hearing for the purpose of taking all pertinent evidence and forwarding same to the General Executive

Board for its decision. In all such cases, the charged member shall be advised in writing of the nature of the charges against him and the date, time and place of hearing.

Section 7. He shall represent the International Association at conventions of the AFL-CIO, Building and Construction Trades Department, Metal Trades Department, and all other conventions the International is affiliated with, and he shall appoint such additional convention delegates to which our International is entitled.

Section 8. He shall work only for the International Association. He shall receive a salary as set by the convention paid monthly in twelve (12) equal installments. He shall receive no salary increase for the period from October 1, 2012 through September 30, 2013. On October 1, 2013, and on October 1 of each succeeding year, his salary shall be adjusted to reflect any increase in the Consumer Price Index during the preceding twelve (12) months, which adjustment may not exceed four percent (4%) in any single year. He shall be reimbursed for his actual expenses and, when away from home, he shall receive additional daily compensation of two hundred dollars (\$200) per day.

Section 9. He shall serve until his successor is elected at a regular scheduled convention.

Section 10. The General President may, in any given situation, delegate a specific power of his office to an International Vice President, the General Secretary-Treasurer or any other designated person. Nothing in this provision shall be construed as conflicting with the authority fixed in the International Vice Presidents by Article VIII, Section 1 of this Constitution.

ARTICLE VIII

International Vice Presidents

Section 1. International Vice Presidents shall rank next to the General President in authority and shall supersede International Representatives, local union presidents and business managers or business agents on all craft questions. They shall work only for the International Association, under the direction of the General President. They shall receive a salary as set by the convention, paid monthly in twelve (12) equal installments. They shall receive no salary increase for the period from October 1, 2012 through September 30, 2013.

On October 1, 2013, and on October 1 of each succeeding year, their salaries shall be adjusted to reflect any increase in the Consumer Price Index during the preceding twelve (12) months, which adjustment may not exceed four percent (4%) in any single year. They shall receive actual expenses.

Section 2. International Vice Presidents shall institute local unions and take active part in extending the influence and prestige of the International Association.

Section 3. Vacancies occurring in the ranks of International Vice Presidents between conventions shall be filled by appointment of the General President with the approval of the General Executive Board; said Vice President will be appointed from a local within the conference area where the vacancy occurs.

ARTICLE IX

General Secretary-Treasurer

Section 1. The General Secretary-Treasurer shall keep correct record of convention proceedings and General Executive Board sessions and make copies available to local unions by electronic means. He shall preserve

all correspondence and documents. He shall conduct all correspondence between the General Office and local unions. He shall receive applications for charters and shall sign, seal and deliver same when ordered by the General Executive Board.

Section 2. He shall record all monies received at the General Office and send each local union monthly statements by electronic means showing all financial transactions between the local union and General Office.

Section 3. He shall supply local unions with International official receipt books, withdrawal and withdrawal renewal forms, transfer and traveling cards, application blanks, requests for Honorary Cards, standard local union stationary, membership cards, seals, local union bookkeeping systems (which shall be the only bookkeeping system in use by all locals), and all paraphernalia. He shall also supply, through the local union, membership lapel buttons with the International emblem thereon at a cost of one dollar (\$1) each. He shall also supply membership lapel buttons showing years of affiliation, starting with fifteen (15) years through fifty-five (55) years at five (5) year increments, at a cost of five dollars (\$5) each. There shall be no cost for the

twenty-five (25) and fifty (50) year buttons. The International emblem and logo are registered and cannot be used by others except as authorized by the General Executive Board.

Section 4. He shall make disbursements only by sanction of the General Executive Board on vouchers signed by the General President.

Section 5. He shall deposit funds in the name of the International Association subject to withdrawal only on a draft countersigned by the General President.

Section 6. He shall make a financial report at regular meetings of the General Executive Board and produce anything within his keeping upon its order.

Section 7. He shall perform all duties required of him by the General Executive Board and work only for the International Association. He shall receive a salary as set by the convention, paid monthly in twelve (12) equal installments. He shall receive no salary increase for the period from October 1, 2012 through September 30, 2013. On October 1, 2013, and on October 1 of each succeeding year, his salary shall be adjusted to reflect any

increase in the Consumer Price Index during the preceding twelve (12) months, which adjustment may not exceed four percent (4%) in any single year. He shall be reimbursed for his actual expenses and when away from home under instructions of the General President, he shall receive additional daily compensation of two hundred dollars (\$200) per day. He shall serve until his successor is elected at a regularly scheduled convention.

Section 8. Should the office of General Secretary-Treasurer become vacant it shall be filled by a majority vote of the General Executive Board from its numbers.

ARTICLE X

General Executive Board

Section 1. The International Association Executive Board, known and mentioned as the “General Executive Board,” shall be composed of the General President, the International Vice-Presidents and the General Secretary-Treasurer. It shall, from its numbers, by majority vote, fill the office of General President, should that office become vacant. It shall decide all cases and appeals referred to it in accordance with the Constitution, in ses-

sion or through a Board member or International Organizer deputized by the General President. Its rulings or decisions shall stand unless reversed by convention on appeal. All powers, duties and authority over all Association matters between conventions, not otherwise vested in the General President or General Secretary-Treasurer of the International Association, shall be exercised by the General Executive Board.

Section 2. The General Executive Board or any of its authorized members shall hold trial or appeal hearings at the General Office or at any other place which they shall designate, in the manner provided in this Constitution.

Section 3. A charged member or appellant who fails to appear at the designated time and place of hearing shall be deemed to have waived his right to appear and the proceeding shall continue as if he were present.

Section 4. The General Executive Board shall be governed by laws adopted in convention. Action taken or documents issued by it in opposition to the expressed will of convention shall be null and void.

Section 5. Upon resolution of convention

the General Executive Board shall within twenty-four (24) hours produce whatsoever in its keeping is demanded of it.

Section 6. The General Executive Board shall bond the General Secretary-Treasurer, audit his accounts and examine the finances of his office annually between conventions.

Section 7. The General Executive Board may amend the provisions of this Constitution and Bylaws when in its judgment such action is in the best interest of our International Association, subject to ratification at the next convention.

Section 8. The General Executive Board shall supervise the affairs of the International Association and can recommend, adopt or order by majority vote. When the General Executive Board interprets the Constitution and Bylaws and determines matters concerning which the International Constitution and Bylaws are silent, the General Executive Board shall be authorized to promulgate these rulings as it deems advisable.

Section 9. The General Executive Board may by majority vote grant local union membership to an applicant when in its judgment

such action is in the best interest of our International Association.

Section 10. A member of the General Executive Board negligent in duty or violating the Constitution and Bylaws or acting contrary to the expressed will of convention or General Executive Board shall, upon petition of five (5) good standing local unions, be tried by the General Executive Board and if found guilty, removed.

Section 11. The General Executive Board shall, between conventions, hold semi-annual meetings at such time and place as they may choose and special meetings may be called by the General President, or by approval in writing of one-third (1/3) of the International Vice Presidents and said meetings to be convened within fifteen (15) days after request for a special meeting. In addition, at the discretion of the General President, the members of the General Executive Board may vote and transact business by correspondence with the General Secretary-Treasurer, provided that at least six (6) members concur to make valid any action so taken. It shall convene immediately upon convention adjournment and pass upon all matters requiring immediate attention.

Section 12. When strike or lock-out forces the membership into idleness the General Executive Board shall attempt to develop employment opportunities for the members within the jurisdiction of affiliated local unions. This will also include apprentices or improvers.

Section 13. When strikes are of an extended duration the General Executive Board may levy an assessment for the purpose of alleviating the financial distress of the membership affected in such amount as is found warranted.

Section 14. The General Executive Board shall use every honorable effort to establish harmonious relations between local unions and employers.

Section 15. The General Executive Board shall have the authority to reorganize, suspend or revoke the charter of any local union which it finds has failed or refused to observe the Constitution and Bylaws of the International Association or whenever it finds that such action is in the best interests of the membership of the local or the International Association. In any such case, the General Executive Board shall issue a notice, through the General Of-

face, to the local union to show cause why the proposed action should not be taken, and schedule a hearing, with at least ten (10) days notice thereof, for the purpose of taking evidence on that question. The hearing shall be conducted by the General Executive Board, or by a representative designated by the General President, who shall take evidence and submit same, along with his written recommendation to the General Executive Board. The decision of the General Executive Board shall be transmitted to the local union.

Section 16 (a). The General President, with the approval of the General Executive Board, may appoint a trustee to take charge of the affairs of any local whenever he has reason to believe that the affairs of the local are not conducted in accordance with the Constitution and Bylaws of the International Association; or are being conducted in such a manner as to jeopardize the interests of the International Association or the local or its members; or whenever he believes that such action is necessary for the purpose of correcting corruption or financial malpractice, assuring the performance of collective bargaining agreements or other duties of a bargaining representative, restoring democratic procedures, or otherwise carrying out the legitimate objects of the International Asso-

ciation or the local union. The trustee so appointed shall be empowered to take full charge of the affairs of the local union, to remove any or all officers and appoint temporary officers during his trusteeship, and to take such other action as in his judgment is necessary for the furtherance of the interest of the International Association, the local union or its members. Officers or representatives of the local removed by the trustee shall turn over to him all monies, books and other properties of the local union. The actions of the trustee shall be subject to the supervision of the General President, with the approval of the General Executive Board, who may at any time remove the trustee and appoint a successor trustee. The trustee shall report periodically, as the General President shall require, on the affairs of the local union at intervals of no more than every six (6) months, which reports shall contain his recommendations as to whether the trusteeship should be continued or terminated. A local union under trusteeship shall not send any delegates to the convention of the International Association.

(b). The General President shall set a time and place for a hearing, for the purpose of determining whether a trusteeship shall be imposed or continued. The trustee may be appointed prior to such hearing; but in such

event a hearing shall be scheduled within a reasonable time (usually thirty (30) days after the appointment of the trustee). In either case, at least ten (10) days' notice shall be given to the local union and its officers of the scheduled hearing. A member of the Board, or a designee of the General President, shall be appointed for the purpose of conducting such hearing, taking evidence, and submitting written findings and recommendations. The decision of the General President shall be transmitted to the local union, which may appeal the decision to the next convention of the International Association.

(c). When a trusteeship is removed, the General President, with the approval of the General Executive Board, may direct the local union to conduct new elections for local union officers and establish the terms of those newly-elected officers, not to exceed three years, when in his judgment such elections will serve the interests of the local union or its membership.

Section 17. In conjunction with its authority to establish the territorial and trade jurisdiction of local unions, and to enlarge or restrict same, as provided in Article XIX, Section 3 of this Constitution, the General Executive

Board shall have the power to merge or amalgamate local unions in any situation where it believes the facts and circumstances warrant such action.

Section 18. The General Executive Board shall have authority to approve mergers of the International Association of Heat and Frost Insulators and Allied Workers with another labor organization having fewer members than the International Association. Merger of the International Association of Heat and Frost Insulators and Allied Workers with another labor organization having a greater number of members must be approved by a regularly-scheduled or specially-called convention.

ARTICLE XI

International Representatives

Section 1. International Representatives may be appointed by the General President and commissioned by the General Office with the approval of the General Executive Board.

Section 2. International Representatives' commissions may be terminated and recalled by the General President with the approval of the General Executive Board.

Section 3. International Representatives shall rank next to General Executive Board members in authority and shall supersede all local union and conference officers.

Section 4. International Representatives shall organize unorganized workers into local unions under International law and perform such other duties as are assigned them by the General Office.

Section 5. International Representatives shall be employed under such conditions of employment and compensation as determined by the General President with the approval of the General Executive Board. They shall work only for the International Association.

ARTICLE XII

Pension and Welfare Benefits, and Other Funds

Section 1. The General Executive Board is empowered and authorized to continue the pension plan established for the full-time paid employees of the Insulators International, and is directed:

(a) To employ the services of experts and

counsel to assist in doing so and maintaining the program;

(b) To enter into such agreements on behalf of the International Association as it may deem necessary to effectuate the program;

(c) To fix the amount of money or other securities necessary to maintain the pension program and to transfer same to the trustees appointed to administer the pension funds and to provide periodic payments to it as may be determined to be actuarially required to maintain the pension fund;

(d) To continue a board of administrative trustees appointed by the General Executive Board whose powers and duties shall be such as may be granted to said board by the General Executive Board and by the Agreement and Declaration of Trust which established the pension plans;

(e) To remove any trustee and to appoint successor trustees to fill such vacancies as may exist;

(f) To make such changes and amendments to the pension plan and the Agreement and Declaration of Trust as may be required;

(g) To take all steps as may be necessary to effectuate the purpose of this Article and to protect the rights and interest of the participants and pensioners.

Section 2. Health and welfare benefits shall be provided for the officers and full-time employees of the Insulators International. The General Executive Board shall establish and amend from time to time a plan of benefits for the persons who are qualified.

Section 3(a). There is established an Insulators Health Hazard Fund, to deal with health and safety matters in the insulation industry. It shall be funded through payments in the amount of two cents (2¢) per hour worked, per member, to be collected by each local union and forwarded by the local union Financial Secretary to the General Office.

(b). There is also established a fund, called Tissue Bank Asbestos Research, to promote and fund research designed to find a cure, and develop treatments, for mesothelioma and other asbestos-related diseases. It shall be funded through payments in the amount of four cents (4¢) per hour worked, per member, to be collected by each local union beginning on January 1, 2013 and forwarded by the local

union Financial Secretary to the General Office.

Section 4. The General Executive Board is authorized to establish a pension plan for the participation of full-time employees of local unions of the International Association.

Any local union with a full-time business manager/agent shall participate in the plan established by the General Executive Board, in accordance with its terms.

Section 5. There is established an Insulation Industry International Apprenticeship Training Fund. It shall be funded through payments in the amount of five cents (5¢) per hour paid per member, to be collected by each local union and forwarded by the local union financial secretary to the Fund. The General Executive Board may increase the amount of the hourly payments if in its judgment an increase is necessary. The General Executive Board may decrease or rescind any such increase imposed. Unless rescinded, any increase in the amount of hourly payments shall remain in effect until next convention, which shall then decide whether such increase should be continued.

Section 6. There is established an organiz-

ing fund to which each member of the International Association shall contribute an amount equal to seven cents (7¢) for each hour worked. That contribution shall be increased to eight cents (8¢) for each hour worked, effective January 1, 2009; nine cents (9¢) for each hour worked, effective January 1, 2010; and ten cents (10¢) for each hour worked, effective January 1, 2011. Such contributions will be collected and forwarded to the fund on a monthly basis by each local union.

Section 7. There is established an Insulators Emergency Relief Fund to provide relief for individual victims of national disasters and emergencies to which each member of the International Association shall contribute an amount equal to one-half cent (1/2¢) for each hour worked. Such contributions will be collected and forwarded to the fund on a monthly basis by each local union.

Section 8. The General Executive Board is empowered and authorized to continue the Florence Bernard/Alta Miller Scholarship Fund for the purpose of providing scholarships to dependents of union members who are, or will be, enrolled in accredited post-secondary schools or in special education programs. Each member of the International As-

sociation shall contribute an amount equal to one-half cent (1/2¢) for each hour worked. Such contributions will be collected and forwarded to the fund on a monthly basis by each local union.

Section 9. The General Executive Board is authorized to establish and maintain a political action fund. Local unions shall be obligated to contribute one cent (1¢) per hour worked per member to that fund, such amounts to be collected by each local union beginning on January 1, 2013 and forwarded by the local union Financial Secretary to the political fund.

ARTICLE XIII

Initiation Fees, Fines, Assessments and Dues

Section 1. Local unions shall establish a membership initiation fee of at least fifty dollars (\$50) six (6) months after date of charter issuance. Each local union shall after the first year of its charter existence establish a minimum of a fifty dollar (\$50) initiation fee and in no instance shall said initiation fee exceed a total of five hundred dollars (\$500). Ten percent (10%) of all initiation fees received by

local unions shall be forwarded to the General Office.

Section 2. Filed applications for membership shall not be subject to increased initiation fee while awaiting local union action.

Section 3. Initiation fees, reregistration fees, reinstatement fees, fines (international and local), assessments and dues are payable in order as herein mentioned to local unions into whose funds they shall go.

Section 4. Local union dues shall be payable monthly. Where local unions derive their revenue from a workday dues system, said payments shall be made weekly. Dues or working assessments when levied by a local union shall apply to a member of a sister local working within its territory under the conditions outlined under Article XIX, Section 9.

Section 5. Local union dues are due and payable in the month or week in which they are incurred. Members in "good standing" are those with dues and all other arrearages paid up to and including the second previous month or week as set forth in Section 4 of this Article. They shall receive an International of-

official receipt itemizing all monies paid by them to local unions.

Section 6(a). When a local union operates under a monthly dues system, a member failing to pay assessments, fines and dues within two (2) months shall be subject to suspension and after three (3) months shall be subject to lapsing by local union action. When a local union operates under a workday dues system, a member failing to make payment of assessments, fines and the workday dues within three (3) weeks shall be subject to suspension and after four (4) weeks subject to lapsing by local union action.

(b). If a member is subject to lapsing pursuant to paragraph (a) of this section, the local union shall notify the member of that fact. If a member fails to pay the assessments, fines and dues owed within thirty (30) days of that notification, he shall stand lapsed. Nothing in this Section 6(b) shall be interpreted to conflict with, or supersede, the requirements of the final sentence of Article XXV, Section 5.

Section 7. Should a local union maintain in good standing any of its membership over three (3) months in arrears it does so on its own responsibility and shall be held responsi-

ble for all per capita tax indebtedness to within three (3) months of date the local officially lapses the member.

Section 8. Suspended members shall not attend local meetings. Suspended members seeking reinstatement shall meet all local union requirements and in addition shall pay a reinstatement fee of fifty dollars (\$50), one-half (1/2) of which shall be retained by the local union and one-half (1/2) of which shall be payable to the International.

Section 9. All former members seeking reaffiliation shall meet all local union requirements, submit new membership application, and in addition shall pay fifty dollars (\$50) reaffiliation fee, which fee shall be payable to the General Office.

Section 10. Former members may reaffiliate only in conformity with laws governing new members.

Section 11. A former member reaffiliating shall be held responsible only for local and International indebtedness accruing up to and including the three (3) months prior to date of membership termination in accordance with the provisions of Section 6 of this Article.

ARTICLE XIV

Exemption Membership

Section 1. International Exemption membership may be granted by a local union to such of its members as may after ten (10) years' continuous International affiliation become permanently incapacitated or infirm to the extent of failing to perform the average day's work of our mechanics.

Section 2. International Exemption membership is of a permanent nature and can be granted only after investigation by the local union Executive Board, and at its request shall be issued by the General Office.

Section 3. International Exemption members shall be recognized only within the jurisdiction of the local union granting such membership and shall be exempt from dues, per capita tax and all local and International assessments except mortuary.

Section 4. Exemption members can, when not under supervision of a mechanic, have charge of an operation to the extent of one (1) apprentice or improver and must receive at least the highest apprentice or improver rate of wage.

Section 5. Exemption members will hold no local union office or have voting privileges. They will, with approval of the presiding officer, have voice at local union meetings.

Section 6. International Exemption members shall pay death assessments and receive mortuary fund benefits in accordance with Article XXII.

ARTICLE XV

Honorary Membership

Section 1. A member who has achieved twenty-five (25) years of active affiliation with the International Association of Heat and Frost Insulators and Allied Workers will be eligible, upon retirement, to receive an Honorary Membership Card. Upon request and at the discretion of the General Officers, a member who has been on withdrawal status but has contributed to the Insulation Industry for a combination of twenty-five years may be granted an Honorary Membership Card.

Section 2. Members holding Honorary Membership cards will not be required to pay per capita tax to the International provided that they are not required to make any local

union payments (except local union mortuary funds in accordance with Article XXII).

Section 3. Members holding Honorary Membership cards will not be eligible to hold local union office or vote at local union meetings. They will with the approval of the presiding officer, have voice at local union meetings.

Section 4. A member holding an Honorary Membership card may turn such card in, but he must be reissued the type of card he held prior to receiving his Honorary Membership card. Members turning in their Honorary Membership cards may not vote and shall not be eligible to be a candidate for local union office for a period of ninety (90) days following the reissuance of their old cards. Members turning in their Honorary Membership cards within one year shall pay all back dues and arrearages that have accrued since the date on which the Honorary Membership card was issued.

Section 5. The officers of each local union, and the International Association, may once per year confer a Special Recognition Honorary Membership card on an individual who has helped advance the organized Insulation Industry in a significant and noteworthy fashion. Those holding a Special Recognition Hon-

orary Membership card shall not pay any dues or assessments and shall not be eligible to hold office, vote or attend union meetings.

Section 6. Honorary members and those who have received Special Recognition Honorary Membership will be maintained on the journal mailing file at no cost.

ARTICLE XVI

Withdrawal Cards

Section 1. Withdrawal Cards shall be issued only to our mechanic members, and those apprentices or improvers who have accumulated 1440 working hours as a member of this International or are in military service, whose financial obligations are paid to date. A withdrawal card may be returned by and apprentice member only if the apprentice agrees to continue in the apprentice training school program.

Section 2. Members leaving the trade or who are engaged in other occupations can secure withdrawal cards at any time with local union issuing the same, provided they do not have charges pending against them. Members with withdrawal cards do not have a right to

attend local union meetings. Withdrawal cards may be given to members who become employers, superintendents, estimators, salesmen, insulation inspectors, employers' representatives or agents in the trade. In no event shall such members be permitted to vote or to attend local union meetings. Members who have not been issued withdrawal cards must notify any business manager in whose jurisdiction they intend to work as employers, superintendents, estimators, salesmen, insulation inspectors, employers' representatives or agents in the trade before engaging in such work.

Section 3. Withdrawal members returning to the local within one (1) year shall pay all back dues and arrearages that have accrued since the date of their withdrawal. This provision shall not apply to members who have been issued and retained withdrawal cards in connection with military service.

Section 4. A member returning a withdrawal card is not eligible to vote at local union meetings for ninety (90) days following date of return. The waiting period shall not apply to members who have been issued and retained withdrawal cards in connection with military service.

Section 5. Withdrawal cards carry no working rights and must be returned to the business manager or business agent before the holder works with the tools, after which he shall not be eligible for local office or convention delegate until after ninety (90) days.

Section 6. Withdrawal card members shall pay death assessments and receive mortuary fund benefits in accordance with Article XXII.

Section 7. Members issued withdrawal cards shall be given the originals; duplicate of which shall be retained by the issuing local union which shall list the names of all withdrawal card members in its next Financial Secretary's Monthly Report when submitted to the General Office.

Section 8. A fee of fifty dollars (\$50) shall be charged for the issuance and each renewal of a withdrawal card. Of that amount, twenty-five dollars (\$25) shall be sent to the General Office and twenty-five dollars (\$25) shall be kept by the local union. Withdrawal cards must be renewed not later than every twelve (12) months after date of issuance by the holders thereof. A withdrawal card member who fails to "renew" shall after three (3) years be subject to lapsing. If a member is subject to

lapsing, for failure to renew, the local union shall notify him of this. If the member fails to pay the renewal charge within thirty (30) days of that notification, he shall stand lapsed. The issuance and renewal charge shall not apply to members who have been issued and retained withdrawal cards in connection with military service. This financial exemption becomes null and void ninety (90) days after discharge from military service.

Section 9. There will be no issuance or renewal charge for a withdrawal card issued to those of our membership who are receiving payments for either regular or disability retirement under the Social Security System or Federal Retirement Act, or similar plans.

Section 10. Military service and retirement withdrawal card members will be maintained in the journal mailing file at no additional cost.

ARTICLE XVII

Traveling Cards

Section 1. Electronic traveling cards shall be issued to those mechanics who have been affiliated at least twelve (12) months and shall be deposited with the local in whose jurisdic-

tion they accept employment, provided, however, that a traveling card need not be issued by the home local union if employment is available within the jurisdiction of that local union. The original traveling card as deposited shall be returned to the home local when the member leaves the local union territory. A member on traveling card shall at all times remain a member of his home local union.

Section 2. Electronic traveling cards can only be issued when all financial obligations are paid to date.

Section 3. Members on traveling cards will pay dues to their home local union in an amount equal to twice the per capita tax payment collected by the International under Article IV, Section 1, of this Constitution, and are subject to all legal assessments of their home local, including mortuary fund payments under Article XXII. The home local will make its per capita tax payments to the International, as well as any other International obligations that may become due while the members are on traveling card.

In addition to the above, a member on traveling card shall pay to the local union in whose jurisdiction he is working, working dues in the amount set by the local union. This

amount may not exceed the amount paid by the members of said local. A member on a traveling card is not subject to assessments of any kind levied by the local union in whose jurisdiction he is working.

Section 4. Traveling cards shall be subject to all laws of local union autonomy.

Section 5. Travelers are entitled to attend local union meetings as guests, but do not have the privilege of either voice or vote at local union meetings.

Section 6. A member's traveling card will be electronically forwarded to the local, for referral, for the designated project/employer. The next Financial Secretary's monthly report shall list the names of all members on traveling card when submitted to the General Office.

Section 7. Members on traveling cards will not lose their eligibility to become candidates in subsequent elections in their home locals, subject to the continuous good standing and meeting attendance requirements set forth in Article XX, Section 2. They shall have voice and vote in their home locals.

A local union officer on a traveling card relinquishes any office he may hold, and his suc-

cessor will be elected as set forth under Article XX, Section 10, provided that officers who are forced to accept temporary employment outside of the jurisdiction of their home locals due to lack of work in their home territory will not be required to resign their office for a period of not to exceed three (3) months in any one (1) continuous year.

Section 8. A member on traveling card who fails to satisfy his financial obligations is subject to suspension or lapsing as provided in Article XIII of this Constitution.

ARTICLE XVIII

Transfer Cards

Section 1. A member desiring to transfer from one local to another shall make written application to the new local. If the request is granted by majority vote, the local granting the request will advise the home local of the member of the action taken and request that a transfer card be forwarded to the new local. Upon receipt of the transfer card and after notification to the General Office, the member will be recorded as a member of the new local.

Section 2. Transfer cards can only be is-

sued to such of our membership who have been affiliated at least twelve (12) months and whose financial obligations to the local union have been paid in full.

Section 3. Members in continuous affiliation with the International Association five (5) years shall not be subject to differential initiation fees when transferring.

Section 4. Members transferring cannot vote at elections of local unions until after ninety (90) days' memberships therein, nor shall they be eligible to be candidates for office until after ninety (90) days' membership therein, subject to any additional requirements imposed by Article XX of this Constitution.

Section 5. Members transferring are subject to laws of local autonomy, including differential initiation fee and mechanical examination, if affiliated Internationally less than five (5) years. Initiation differential is based on amount of initiation fee in effect for the local unions interested at the time of membership affiliation. They shall be governed by local trade rules and must comply with regulations for mechanical examination.

Section 6. Transfer cards are provided in duplicate. When issued, the original will be forwarded to the new local, the duplicate shall be retained by the issuing local union. The next Financial Secretary's monthly report shall list the names of all members transferred.

Section 7. It is optional with a member transferring to continue or waive his mortuary fund rights in the local union he is leaving in accordance with Article XXII.

Section 8. A member transferring from a local union may, without ballot, retransfer to it at any time within a three (3) year period. This provision of returning to his/her home local union, without ballot, can only apply in one instance. A member who retransfers to their home local union, pursuant to this section, within three years, must pay to his/her home local, upon retransfer, an amount equal to twice the monthly per capita tax payments set forth in Article IV, Section 1 for each month in which he was a member of another local union.

ARTICLE XIX

Local Unions

Section 1. Local unions of the Interna-

tional Association can be reorganized, suspended or disbanded with charter revocation by action of the General Executive Board or Convention. Charters may be granted to Building Trades Workers, Marine Workers and Inside (Plant) Workers, Asbestos Abatement Workers, or any other group of workers. Each local union shall confine its activities exclusively to its chartered jurisdiction.

Each local union shall establish and maintain a minimum dues to two and one-half percent (2 1/2%) of the negotiated mechanic wage rate. (The minimum dues can either be basic dues alone or a combination of basic and working dues.)

Section 2. Local union charters may be issued to five (5) workers who make proper charter application accompanied by a fee of five dollars (\$5) for each charter applicant. Newly chartered local unions shall be “open” for sixty (60) days during which period all qualified workers (within the newly chartered territory) shall be admitted for an initiation fee of twenty-five dollars (\$25).

Section 3. The General Executive Board shall establish the territorial and trade jurisdiction of each local union. Such jurisdiction so conferred may be amended, restricted, or en-

larged from time to time by the General Executive Board. Every effort will be made to define territorial boundaries by easily recognizable landmarks such as boundaries of political subdivisions wherever practicable. Official territorial marked maps are available at the General Office covering all of our affiliated local union territories. Any city or town touched or intersected by a territorial boundary line between two locals will be automatically under the territorial jurisdiction of the local union having the more favorable conditions of employment which is to be determined by the total wages, transportation, board allowance and all fringe benefits. In such instances where the agreement conditions as above set forth are identical, such city or town will be open and under the jurisdiction of the local union in which the shop is located provided this shop is located in one of the two local unions involved. Where an employer with a shop outside of these two locals' territory is involved the decision as to territorial jurisdiction will rest with the General Office.

Section 4. Local unions affiliated with the International Association can exercise local autonomy in all matters except those which are in conflict with the International Constitution and Bylaws. They shall function within their chartered jurisdiction and in such other

territory covered by signed trade agreement with employers.

The Constitution and Bylaws of the International Association, and the rules there under, shall be considered a part of the Bylaws of each local union and shall be binding on each and every local union member.

Should any question come before a local union on which the International Constitution and Bylaws are silent or not clearly defined, it shall immediately be referred to the General President or General Secretary-Treasurer for decision. Such decision shall be inserted in the local minute book for reference.

Section 5. Local unions, when suspended by the General Executive Board or International convention or which suspend themselves or cease operation, shall immediately forward to the General Office their charter, monies, books, cards, seals and all other paraphernalia. The officers of said local union shall be denied recognition until such time as this clause is lived up to in letter and spirit.

Section 6. When local unions are disbanded and the membership divide the funds or dispose of property, they shall be denied future membership privilege until such time as they make restitution in full.

Section 7. A local union cannot withdraw from the International Association or disband at any time if five (5) members in good standing object, except when the General Executive Board or convention takes action under authority of Section 1 of this article or under Article X. Before withdrawing or disbanding written notice must be given to the General Executive Board, and all books, papers, charters, funds and property must be forwarded to the General Secretary-Treasurer.

Section 8. Local unions shall have power to fix wages within their chartered jurisdiction or trade agreement radius, also to regulate the working conditions in any manner they deem proper, except in the restriction of individual working effort.

Section 9. No more than one (1) member-mechanic (job foreman), or five (5) members engaged in asbestos abatement, can work on any one (1) operation of any one (1) employer within the jurisdiction of another local union, unless there is a shortage of labor in that jurisdiction. The employer is privileged to send the mechanic (job foreman) as outlined above, but cannot bring a mechanic (job foreman) into an area where he is already bound by a collective bargaining agreement. Such mem-

bers must conform to the working rules and trade agreements of the local union under whose jurisdiction they work, and whose business manager they must notify before work has started, interrupted, resumed and when completed. (This means each new job foremen must also report.) They shall receive the wage rate highest in either of the two locals, and the higher board or travel allowance applicable to the particular job site, and shall receive their fringe benefits of their home local which shall be payable to their home local in accordance with its administration of same. If the fringe benefit package in the area worked is higher than the home locals' fringe benefit package then the difference between the benefit packages must be applied to and be part of the wages making the total package equal to the higher total package of the collective bargaining agreement in the area worked. They shall work under the working conditions, such as hours and observed holidays, of the contract of the local in whose jurisdiction the job is located. For purposes of this Article the term "fringe benefits" includes welfare, pension, or other similar funds, but not vacation funds which, for the purpose of this Article, are included as wages.

An "operation" as herein defined means all

contracts on or within the premise of buildings, mines, mills, factories, shipyards, etc.

Section 10. All operations outside the chartered jurisdiction or trade agreement radius of a local union shall be governed by the prevailing wage rate, board allowance and fringe benefits of the nearest local union of our craft.

Section 11. All agreements shall be submitted to the General President who shall examine same in order to determine whether or not they are in accord with the International's Constitution and Bylaws, rules and polices; and if so, he shall approve such agreements. Approval by the General President does not make the International Association a party to the agreement unless the General President specifically so states in writing.

Further, participation by the General President, or his designated representatives, in the negotiation of agreements does not, of itself, make the International Association a party to the agreements unless the General President so states in writing. Upon final signing of the agreement by the local union, three (3) signed copies shall be forwarded to the General Office.

Section 12. Special local union meetings can be called by the president, either with the approval of the local union Executive Board or with a petition signed by at least one-tenth (1/10) of the good-standing local union membership which in no instance shall number less than five (5), with reasonable advance notice given to all members of the time, place and purpose of said special meeting.

Section 13. Local unions can only declare strike action after special meeting called for such purpose. A two-thirds (2/3) vote in secret ballot shall be necessary to take strike action.

Section 14. A local union strike shall not apply to operations outside its territory except when ordered by the General Office.

Section 15(a). Voting on accepting or rejecting newly negotiated agreements must be by secret ballot and will be confined to the local union good-standing members otherwise entitled to vote at local union meetings.

(b). Every local union which goes on strike must, after five (5) working days thereafter, impose a daily working assessment not to exceed one (1) hour of each member's pay, on all members who are working during the strike.

This assessment must be paid weekly. In addition to the other good-standing requirements provided in this Constitution, members must have their working assessments, provided for in this section, fully paid through the week prior to the vote in order to participate in the vote.

Section 16. The first Monday in September (Labor Day) of each year is hereby set apart as an International holiday for members of this Association on which day they shall work only in special cases of emergency and for a triple (3) time wage rate.

Section 17. Local union funds shall only be used in the defraying of local union expenses and in no instance shall monies be loaned, donated or expended for other than legitimate labor purposes.

Section 18. A bona fide insulation shop is one maintaining a regular place of business with trade name on the door, proper listing in a telephone directory and at least one person on the premises to give service to the trade during regular business hours, and where our membership are employed, discharged and receive their wages.

Section 19. Local unions shall hold one (1) regular meeting monthly to transact business. Seven (7) members shall constitute a quorum at local union meetings. All initiation fees, re-registration fees, reinstatement fees, assessments, fines, dues and other monies received shall be accounted for at these meetings, which shall be held at the regular time and place of meeting or such other time and place as designated by the president and of which due notice is given the membership.

Section 20. No member shall be allowed to attend meetings or have voice or vote on any question unless he is in good standing. For the purpose of establishing his good standing, his financial obligations must be paid to and including the second preceding month or week as set forth in Sections 4 and 5 of Article XIII, prior to the meeting.

Section 21. Local unions shall decide all questions of parliamentary nature on which the Constitution of the International Association is silent, in accordance with Robert's Rules of Order.

Section 22. All affiliated local unions must be in affiliation with their local Building and Construction Trades Council and with their

local Metal Trades Council. All affiliated local unions should also be affiliated with their State or Provincial Building and Construction Trades Council and State AFL-CIO.

Section 23. Any member who takes issue with any action of a local union may, after exhausting all local union bylaws or constitutional provisions in an effort to obtain redress, appeal to the General Executive Board in writing, provided that a notice of appeal from the disputed action of the local union is filed with the General Secretary-Treasurer within thirty (30) days of the action appealed from.

(This section relates to procedure for appeals from all local union actions other than local member's trials which are covered in Article XXV.)

Section 24. No local union, or its officers, employees or representatives, is authorized to act on behalf of the International Association, or shall be deemed an agent of the International, except upon specific authorization granted by the General President.

Section 25. Every local union shall have an organizing committee appointed by the local union business manager. The business manager shall determine the size of the committee,

but the committee shall include at least five members who are not full-time officers of the local union.

The organizing committee shall conduct regular meetings at least once a month and submit to the International Vice President in whose conference the local union is located monthly reports on such meetings. Each local union shall notify the General Office of the time and date on which such regular meetings are scheduled.

Section 26. Local unions shall require members to participate in lawful local union picketing, handbilling and other job actions. The refusal of members to participate in such activity may be deemed a violation of Article XXIV, Section 1(a) of this Constitution and Bylaws.

Section 27. Local unions shall participate in the Heat and Frost Insulators and Allied Workers Labor-Management Cooperative Trust.

ARTICLE XX

Nomination and Election of Local Union Officers

Section 1(a). The business of local unions, other than asbestos abatement regional local

unions, shall be conducted by the following officers: president, vice-president, recording secretary, corresponding secretary, financial secretary, treasurer, three (3) trustees, executive board of five (5) members, sergeant-at-arms, and one (1) business manager and, if deemed necessary, one (1) or more business agents; all of whom shall be mechanics. A business manager shall have rank and authority over the other business agents of the local union.

Each local union with a membership of seventy-five (75) or more must have a full-time business manager, whose salary shall not be less than that paid the mechanic members of said local. This requirement shall not apply to naval shipyard local unions.

(b). All local union officers shall receive such compensation or salary as the local may determine, except as provided for in Section 1(a) of this Article.

(c). The business of asbestos abatement regional local unions shall be conducted by the following officers: president, business manager/secretary-treasurer, and if deemed necessary, one (1) or more business agents. If the local union so decides, an executive board of no more than five (5) members may also be elected. These officers need not be mechan-

ics. Each asbestos abatement local union shall determine whether its business manager/secretary-treasurer will be a full-time officer. The business manager/secretary-treasurer shall perform the duties described in Article XXI, Sections 4, 5, 6, 7 and 10 of this Constitution and Bylaws.

Section 2(a). In all local unions other than asbestos abatement local unions, in order to be eligible for the position of local union president, vice president, financial secretary, business manager or business agent, a member must have performed work of the type described in Article III, Section 1 as a member of the International Association, or worked as a member of the International Association, for at least five (5) years, and have worked as a mechanic for at least two (2) years, shall have been a member of said local union for at least two (2) years, and have been in continuous good standing without having been suspended for two (2) years and in attendance at a majority of regular local union meetings held during the twelve (12) months prior to date of nomination. In order to be eligible for any other local union offices, a member must have worked as a mechanic for at least one (1) year, and have been in continuous good standing without having been suspended for two (2)

years, and if the local union adopts such a requirement in its bylaws, a member must also have been in attendance at a majority of regular local union meetings held during the twelve (12) months prior to date of nomination. A member must sign the official Local Union sign-in book to receive credit for having attended a local union meeting. This section shall not apply to a newly chartered local union until it has been in existence for a sufficient time to make its application practical.

(b). In asbestos abatement regional local unions, in order to be eligible for the position of local union president, business manager/secretary-treasurer, or business agent, a member must have been a member in good standing of said local union, without having been suspended, for (2) two years prior to date of nomination.

Section 3. The consolidation of local union offices, and nomination for those offices, shall be as follows:

(a). The offices of president and vice-president cannot be consolidated with any other offices and a candidate for either of those offices cannot be a candidate for any other office.

(b). Any two (2) or more of the remaining offices, other than president and vice-president may be consolidated, and a candidate may be nominated for and hold one (1) office or group of offices so consolidated.

(c). If the offices of the executive board members are not consolidated by the local union with other offices, as permitted by paragraph (b), a candidate for any other office or consolidated offices (except, president or vice-president) may also be a candidate for executive board member, provided that, as set forth in Article XXI, Section 11, a business manager or business agent cannot be a member of or a candidate for the executive board.

(d). The provisions of this section apply only to the offices established in Section 1 of this Article. All other positions, such as delegates to various local, state and national bodies, shall be determined by local unions with respect to appointment, election, consolidation, etc., provided that, as set forth in Article V, Section 6, the president, business manager and business agent (if elected) and all elected full-time officers and the vice president will automatically, by virtue of their offices, be delegates to the International convention.

(e). Any officer who accepts nomination for a different office must vacate the office he presently holds in order to run for that office, unless the term of the office currently held expires on the same date that the term of the office sought begins.

Nomination notices to members shall advise that nominations will be held for both the original vacant office or offices as well as any vacancies created by the resignation of an existing officer who accepts nomination for another office.

Should the president accept nomination for another office and thereby vacate the office of president, the vice-president will assume the office of president and the office of vice-president shall be declared open for nomination.

Section 4. Nomination for local union office shall be held at the regular local union meeting preceding that of election, at which meeting no nomination shall be considered. Election of president, vice-president, business manager, business agent (if elected, rather than appointed) and financial secretary shall be for a period of three (3) years in the United States and no less than three (3) but no more than five (5) years in Canada. Election of all remaining officers shall be for a minimum of one (1) year, up to a maximum of three (3) years in the United States and

up to a maximum of five (5) years in Canada. Election shall be decided by plurality vote in a secret ballot at a special notified meeting.

Section 5. A candidate for local union office may be nominated in his absence provided there is a written communication from him signifying his willingness to serve.

Section 6. Any nominee who is unopposed for an office at the regularly scheduled nomination meeting shall be declared duly elected to such office, effective as of the designated installation time for the officers to be elected at the election meeting.

Section 7. The provisions of this Constitution governing the conduct of nomination and election of local union officers shall also govern the conduct of the election of additional delegates to the International convention, as provided for in Article V of this Constitution.

Section 8. Newly elected officers shall be obligated as soon as elected.

Obligation for newly elected officers:

“I,, without mental reservation, do solemnly pledge my honor, that I will faithfully discharge the duties of the office to which I have been elected in this local union,

and that I will support the Constitution and Bylaws of the International Association and will enforce the same to the best of my ability without prejudice or partiality.”

Section 9. Should an officer engage in business as employer, estimator, salesman, insulation inspector, employers’ representative or agent in the trade, his office shall be declared vacant and he may be given a withdrawal card.

Section 10. An officer absenting himself from three (3) consecutive regular membership meetings without reasonable excuse shall have his office declared vacant, and his successor shall be elected. The vacancy of any office (except that of president) shall be filled by special nomination and election for the remainder of the term of the office vacated, within fifty (50) days and reasonable advance notice (at least fifteen (15) days) of time and place of the special nomination and election given the local membership. The president shall appoint temporary officers pending election.

Section 11(a). Notice of every local union nomination must be mailed by the corresponding secretary to each member at his last known address at least fifteen (15) days prior to the nomination.

(b). Notice of every local union election must be mailed by the corresponding secretary to the last known address of each of its members at least twenty-five (25) days prior to the election. (Both notices may be included in the same mailing provided the mailing is at least fifteen (15) days prior to nomination.)

(c). At the time of nomination the Chairman will appoint an election committee of sufficient size to insure that all the election procedures are followed, including those in Section 12 of this Article.

Section 12. If authorized by either the local union bylaws or by a resolution of the local union membership, a local union may conduct a mail ballot election. For those local unions that have adopted full mail in ballot elections, a member to be considered in “good standing” and eligible to receive a ballot, must have his obligations paid up as of nomination night in accordance with Article XIII, Sections 4 and 5.

Section 13. If a local union has not authorized a mail ballot election, any member may receive and cast an absentee ballot in accordance with the procedures described in this and the following section;

(a). A member who wishes to cast an absentee ballot must make a written request for same, which request must be received no later than ten (10) days prior to the election.

(b). All such requests must be kept on file at the local union office and made available for inspection, on request, by the election committee and all candidates.

(c). Absentee ballots requested in accordance with the above procedure shall be mailed by the corresponding secretary no less than ten (10) days prior to the election. Each ballot shall be accompanied by a plain envelope and a larger return envelope addressed to a post office box or similar depository, or to a neutral or disinterested person as designated by the election committee, along with instructions that the ballot is to be marked and placed inside the plain envelope, which is to be sealed and, in turn, placed into the larger return envelope for mailing, and that the larger return envelope must be signed by the voter before it is mailed. A designated neutral or disinterested person may not be a member or employee of the local union. No absentee ballot shall be counted unless it is received in a signed return envelope.

(d). All absentee ballots must be received by election day in order to be counted. Once a member has requested an absentee ballot, he may vote in that election only by that means.

(e). The designated neutral or disinterested person shall turn the absentee ballots received over to the Election Committee on the day of the election. They shall be counted with all other ballots. If a post office box or similar depository has been designated, the election committee will retrieve from that depository any ballots received on or prior to election day. Observers for the candidates may accompany the election committee in retrieving those ballots.

Section 14. Within the ten (10) day period prior to the union election day, members may apply in person at the local union office for an absentee ballot. They will receive an absentee ballot at that time, will mark their ballot in secrecy at that time, and will place the ballot inside a plain envelope as provided in Section 13(c). The larger envelope will be delivered immediately to the neutral or disinterested person designated by the election committee, and the envelope shall be processed in the manner provided in Section 13(e).

Section 15. Election protests, objecting to the conduct or procedure of an election for a local union office, may be filed with the General President within ten (10) days after the date of the election. No specific form shall be required, except that such protest shall clearly state that a protest is being filed, the date of the election protested, the basis of the protest in detail, and how the alleged violation affected the outcome of the election. The General President may, if he deems it appropriate, direct that a hearing be conducted before the General President or a hearing officer designated by the General President. The General President shall determine the merits of the protest and, if he finds the protest to be meritorious, shall have the authority to impose an appropriate remedy. The decision of the General President may be appealed to the General Executive Board, provided a notice of appeal is filed with the General Secretary-Treasurer within thirty (30) days of the decision of the General President.

ARTICLE XXI

Local Union Officers

Section 1. The president shall be responsible for the enforcement of the Constitution

and Bylaws of the International Association, and the rules therein. He shall preside and preserve order at all meetings of the local union. He shall vote only in case of a tie vote on any question, except for secret ballots on which he shall cast his vote along with all other members. He shall decide all questions of order according to the governing parliamentary rules stated herein. He shall sign all orders drawn by the treasurer authorized by the union, and perform all other customary duties pertaining to his office. He shall be an ex-officio member of all boards and committees with a voice, but without vote. In local unions which operate under a joint trade agreement providing for a joint trade board, the members of the joint trade board representing the local union shall be appointed by the president in the number required from the following list and in the following order: president, business manager, other business agents, if any, vice president, secretaries and executive board members.

Section 2. The vice-president shall, in the absence of the president, perform all duties appertaining to the latter's office; in addition, he shall be the chairman at all meetings of the executive board. In the absence of the vice-president, the executive board shall from its members present elect a temporary chairman.

Should the office of president become vacant, the vice-president automatically becomes the local president for the un-expired term, and a new vice-president will be elected under regulations for filling vacancies between regular elections as set forth in Section 10 of Article XX.

Section 3. Local union meetings with both the president and vice-president absent shall be presided over by a chairman chosen by the membership.

Section 4. The recording secretary shall keep a correct record of proceeding of the local union in a bound volume with pages numbered consecutively and attest all orders signed by the president and financial secretary. He shall be the custodian of the archives of the union.

Section 5. The corresponding secretary shall read all communications received for the union at its meetings. As statistician he shall communicate and gather information relating to wages and working hours and the labor movement in general.

Section 6(a). The financial secretary shall receive and keep a correct record of all

monies paid into the local union, shall issue all warrants for monies ordered paid, and pay over all monies to the treasurer on a monthly basis, and receive receipt for same. He shall enter in his book all dues and payments made, and issue official receipts to members.

(b). The financial secretary shall on computerized Financial Secretary's Monthly Report Forms, as supplied by the General Office, forward to the General Secretary-Treasurer a statement of the local membership each month not later than two (2) weeks following the regular local union meeting, completely filled out, together with the remittance covering the report. That report shall include the total wages earned by each member during the reporting period. A copy of statements to the General Office shall be filed by the local union. He shall remit all monies and handle all correspondence with the General Office in reference to finances, new members, transfers, withdrawals, traveling cards, etc. He shall, when requested by the local executive board to do so, submit a financial report to the board, including membership status of all members of the local union.

Section 7. The treasurer shall issue receipts for all monies turned over to him by the

financial secretary, and disburse same upon order of the local, duly signed by the president and financial secretary, attested to by the recording secretary, with the seal thereon. He shall keep account of all monies received and expended and produce treasury books, cash books and all other securities whenever called upon by the trustees to do so and shall deposit all monies or funds in such bank as the local may designate. He shall submit his books and records for inspection or audit whenever called upon to do so by the General President or General Secretary-Treasurer.

Section 8. The financial secretary or treasurer may act as a trustee but may not serve as a member of an auditing committee, even as an ex-officio member.

Section 9. Local unions shall elect three (3) trustees who shall have general supervision over all funds and property of the local union, including all officers' bonds, and keep in their possession all property of the local union not otherwise provided for. They shall see that local union funds are properly deposited and shall sign no orders for withdrawal of said funds unless authorized by motion of the local union. The trustees shall, when required by decision of the International

Association or local union meeting, deliver all monies, checks, or other property in their possession to persons designated by the International Association or local union to receive same. Each local union shall have an annual audit performed by an independent certified public accountant. The Trustees shall have authority to approve the independent certified public accountant and shall meet with same upon completion of the independent audit to review and address any accounting concerns identified.

Section 10. It shall be the duty of the business manager or business agent to investigate all complaints referred to him. The business manager or business agent shall report to the local union the quality of the work being performed in the application of insulating materials on any and all jobs he visits. The local shall supply adequate insurance coverage for accident or fatality while engaged in the duties of his office.

The business manager is the principal administrative officer of the local union. In addition to the duties outlined in this Constitution and Bylaws, it is his responsibility to make day-to-day decisions affecting the welfare of the local and to police and protect the trade jurisdiction of the local union, endeavoring to

settle all differences as expeditiously as possible. He shall be authorized to take whatever steps necessary on particular jobs to acquire and protect the work of our trade and its members. Notwithstanding any other provision of this Constitution and Bylaws, he shall be authorized to admit new members in order to organize unorganized employees. He is solely responsible for supplying manpower, from whatever source available, to employers upon request. He may, if he wishes, refer to the local executive board, between meetings, any business which he believes requires immediate attention. Business managers and business agents shall serve as members of the negotiating committee. In those areas where an apprentice program is established, it will be the responsibility of the business manager to place, rotate, and assign apprentices to the employer as required.

If authorized by a resolution mailed to each member, and passed at a special notified meeting, the business manager shall appoint any and all local union business agents, who shall be subject to the business manager's authority as employees-at-will.

The business manager shall have the authority to appoint any organizers hired by the local union, to discharge such organizers, and

to determine under what terms and conditions such organizers shall be employed.

Section 11. Local unions shall elect an executive board of five (5) members, exclusive of the business manager or business agents, at the time they elect officers, who shall meet monthly, or for special meetings called by at least three (3) members of the board, with the approval of the vice-president. In addition to the five (5) elected members of the executive board, the vice-president shall act as chairman, voting only in case of a tie. The executive board is empowered to at all times comply with the directions of the General Executive Board of the International Association as provided in this Constitution and Bylaws. The Executive Board shall see to it that proper bonds are secured for local union officers in such amount to meet the requirements of federal or state laws.

The executive board shall, as outlined in this Constitution and Bylaws, see that the business of the local is conducted in conformity with the Constitution and Bylaws. The board shall act on all local union business referred to them at a regular membership meeting of the local and, between meetings, may act on all local union business which is referred to them by the responsible local union officer, making a report of any such action

taken to the next regular meeting of the local. Nothing in the performance of the duties of the executive board shall infringe upon the duties of other local union officers as defined in the Constitution and Bylaws.

Section 12. The sergeant-at-arms shall examine all official membership cards and see that all present at a meeting are entitled to remain and report his findings to the chairman. He shall conduct candidates through the initiation ceremony and he shall be furnished assistance when necessary by chair appointment.

Section 13. “Job stewards” may be designated on any operation when, in the opinion of the business manager, it is warranted. They shall be appointed by the business manager. They will make no official decisions, but will report any conditions to the business manager which they feel are warranted and perform such other duties as are assigned by the business manager.

Section 14. All officers, at the expiration of their terms of office, shall deliver to their successors all books, papers, records, monies and other property in their possession belonging to the International Association or the local union; and they shall deliver or make available

all such documents and properties to the General President, the General Secretary-Treasurer, or their duly designated representatives, whenever required to do so under this Constitution and Bylaws.

Section 15. Should the total amount of funds available to a local union, excluding fixed assets and accounts receivable, fall below one-half (1/2) the local union's total expenses during the previous calendar year, it shall be the duty of the local union president, financial secretary and trustees to meet within thirty (30) days and formulate a plan to either raise additional funds, reduce expenses, or both. A copy of said plan shall be provided to the General Office and to the International Vice President from the conference in which the local union is located.

ARTICLE XXII

Mortuary Fund

Section 1. Local unions may, by two-thirds (2/3) vote, establish and maintain mortuary funds. Local unions shall establish a fixed amount to be paid each valid death claim, the same to be met by an assessment from participating members.

Section 2. When a local union does establish a mortuary fund by a two-thirds (2/3) majority vote, participation in a mortuary fund established by a local union shall be voluntary. Participation shall not be a condition of membership in good standing. Claims shall be paid only upon the death of participating members.

Section 3. Forfeiture of and re-affiliate with local union mortuary funds shall be subject to local union autonomy rule.

Section 4. All mortuary funds shall be maintained in a properly designated account separate from all other funds and assets of the local union and no withdrawals shall be made except for the payment of a valid death claim, or for payment of insurance premiums, if any, in connection with the fund.

ARTICLE XXIII

Conferences

Section 1. Local unions which organize among themselves either intra-state or inter-state shall be granted “conference” charters.

Section 2. Conferences shall function under rules of procedures as approved by the General Office.

Section 3. Conference charters carry no autonomy rights and conferences shall conduct their business in accordance with International law.

Section 4. Conferences may have their charters suspended or revoked at any time by the General Executive Board upon recommendation of the General President.

Section 5. Conferences shall hold annual, semi-annual, or quarterly meetings. Special meetings may be called by the president on petition signed by one-third (1/3) of the local union business managers.

Section 6. Local union conference delegates must be composed of, first, the local union business manager, and second, the local president. (In those conferences using the convention delegate formula, the rules spelled out in Article V, Section 6, will apply for delegate selection.)

Section 7. Conference meetings are open only to accredited delegates and such others as may be invited to be present on official business.

ARTICLE XXIV

Offenses and Charges

Section 1. Any member may be penalized for committing any one or more of the following offenses:

(a). Violation of any provision of the Constitution and Bylaws of the International Association, and the rules there under, or of the by-laws, trade agreements or rules of a local union.

(b). Embezzlement, or the improper receipt or misappropriation, or any unauthorized use of any funds or property of a local union or the International Association.

(c). Obtaining or attempting to obtain membership in the International Association or credentials for delegates to the International convention, through fraudulent means or misrepresentation, either on the part of the member himself or others.

(d). Engaging in activities designed to bring about a secession or withdrawal from the International Association of any member or group of members or a local union.

(e). Wronging a member of the International Association by any act or acts (other than the expression of views or opinions) causing him physical or economic harm.

(f). Working for or in the interests of, or in any way assisting any person, firm or corporation whose employees are locked out or lawfully on strike, in accordance with this Constitution, or which is otherwise declared to be in labor difficulty with the International Association or a local union. This subsection shall not apply in the case of withdrawal card members, performing their normal duties as owners, salesmen or superintendents.

(g). Working for, or on behalf of, any employer, employer-supported organization or other union or organization, or the representatives of any of the foregoing, whose position is adverse or detrimental to the International Association.

(h). Filing charges under this Constitution in bad faith or out of malice, or knowing or having reason to know such charges to be false or without foundation.

(i). Making known the business of the International Association or any of its local unions

to any employer, employer-supported organization, or other union or organizations, or to the representatives of any of the foregoing.

(j). Causing or participating in a stoppage of work because of any alleged grievance or dispute without having the approval of the local union, or its duly authorized officers, which shall result in a minimum fine of one thousand dollars (\$1,000), no portion of which shall be held in abeyance.

(k). The failure or refusal of any member or officer to turn over or relinquish any money, books, records or other property of the International Association or any of its local unions when directed to do so by authorized officials of the International Association or a local union, in accordance with this Constitution or the local union bylaws.

(l). Causing or engaging in unauthorized work stoppages or strikes or other violation of the laws and rules of the International Association or its local unions.

(m). Interfering or refusing to cooperate with any inquiry or investigation which is being conducted by, or pursuant to the authority of any International officer.

(n). Engaging in any act or acts which are contrary to the member's responsibility toward the International Association or any of its local unions as an institution, or which interfere with the performance by the International Association or a local union of its legal or contractual obligations.

(o). Interfering with the rights of members of the International Association under this Constitution and Bylaws or working agreements, or interfering or threatening to interfere with any officer of a local union or the International Association in the performance of his duties.

(p). Failure, without good cause, to participate in Professional Craftsman Code of Conduct, COMET, or any other similar training programs offered by the International Association or a local union.

Section 2. Charges against members must be signed and submitted in duplicate not more than one hundred eighty (180) days after the person preferring the charges has knowledge of the act or acts which form the basis for the charges.

The charges shall then be read at the next regular meeting of the local union.

union shall serve the member charged, by registered or certified mail to his last given home address, with a written copy of the charges and a notice of the time and place of trial, which trial shall not be held less than ten (10) days from the time the charges are served upon the accused.

Any member, including those on withdrawal card, shall be subject to charges and trial.

Section 3. All charges against officers of a local must be submitted in writing to the General President. The charges must be submitted not more than ninety (90) days after the person preferring the charges has knowledge of the act or acts which form the basis for the charges. They must be signed by the member preferring the charges and read by that member at the regular meeting of the local union. The General President may dismiss any charges that he deems frivolous or clearly non-meritorious. If the charges are not dismissed, the General President shall then proceed in accordance with the procedure specified in Article VII, Section 5(b) of this Constitution and Bylaws. Following the decision of the General President, as specified in that section, the charged officer shall have the appeal rights set forth therein.

Section 4. Charges of an inter-local nature shall be disposed of in accordance with Article X, Sections 1, 2, and 3, provided that said charges are filed not later than ninety (90) days after those preferring them had knowledge of the facts alleged.

Section 5. Charges of an inter-local nature can be preferred against members only after the business manager or business agent has visited the job site and made a thorough investigation. He will then report his findings to a regular meeting of the local, at which the members present can, on recommendation of the business manager or business agent and by majority vote, prefer charges against the accused. The corresponding secretary shall then draft and submit the charges against the accused to the General Office.

Section 6. In all inter-local charges, all monetary penalties imposed by the General Executive Board shall be credited to the complainant local union. The member penalized will make payment of said penalty in full to his local union, which will in turn forward same to the General Office where the full amount of this penalty will be credited to the account of the complainant local union.

ARTICLE XXV

Trials and Appeals

Section 1. All charges shall be heard and tried by the local union executive board, which shall act as a trial board. If a local union does not have an executive board, the president shall appoint five disinterested members to act as a trial board. The local union president shall preside. Three members of the board shall constitute a quorum for the purpose of proceeding with the scheduled trial. If the president is preferring the charges, or is a witness to the events in question or in any way interested in the outcome of the trial, the local union vice president shall replace him. If both, the president and the vice-president are disqualified, the trial board shall select one of its members as the presiding officer. If the member preferring the charges is a member of the executive board, or if an executive board member is a witness to the events in question, or is in any way interested in the outcome of the trial, the presiding officer shall disqualify him from hearing the case and may appoint a disinterested member as a substitute.

Section 2. The charged member shall appear for trial on the date set by the president, provided that the president may grant a rea-

sonable delay to the accused, upon his request, when he believes the facts and circumstances warrant a delay. The accused may appear in person to answer the charges and may select a member in good standing of his local union to represent or assist him in the presentation of his defense. If the accused fails to appear at the scheduled time and place, or otherwise attempts to evade trial, the trial board shall proceed to hear and determine the case just as though the accused were present.

Section 3. The business manager, or his designated representative, shall investigate all charges. When the business manager, or the designated representative, believes that a charge has merit, he shall so advise the president. The charges will then be read at the next regular meeting of the local union and a hearing will be scheduled. The business manager or his designated representative shall act as trial prosecutor.

Section 4. The president of the local union shall sit as trial judge, unless replaced as provided in Section 1 of this Article. He shall decide all points that call for decision.

Section 5. Upon hearing all of the evidence presented, the trial board shall reach a deci-

sion on each charge before it. All decisions shall be made by majority vote of the members of the trial board sitting. If the charges, or any portion thereof, are sustained, the accused shall be found guilty. On any portion of the charges which is not sustained, the accused shall be found not guilty, and those charges or portions thereof shall be dismissed. With respect to any portion of the charges on which the accused is found guilty, the presiding officer shall immediately impose sentence, which may include expulsion, suspension, lapsing, and fine. Any fines imposed in the amount of one hundred dollars (\$100) or less shall be due and payable when imposed, unless a longer period is provided by the trial board. In the case of a fine over one hundred dollars (\$100), fifty percent (50%) of the fine is payable when imposed, and the balance within three (3) months thereafter. In any case where the fine is five hundred dollars (\$500) or more and the member appeals to the General Executive Board as provided in Section 6 of this Article, the General President shall stay any portion of the fine in excess of two hundred and fifty dollars (\$250) until the General Executive Board has issued its decision, provided that such member requests such a stay at the time that his notice of appeal is filed

with the General Secretary-Treasurer in accordance with Section 6. Every sentence imposing a fine shall automatically include the following: "Failure to pay the fine, or any required portion thereof, within thirty (30) days after its due date shall result in automatic lapsing which will not relieve the responsibility of paying any financial obligation incurred while a member, including but not limited to dues, assessments, and fines."

Section 6. Any member who is disciplined by a local union trial board, as provided above, may appeal to the General Executive Board in writing, provided that a notice of appeal is filed with the General Secretary-Treasurer within thirty (30) days of the decision appealed from, and provided further that, prior to the notice of appeal, payment of any fine imposed must have been made in accordance with the requirements of Section 5 of this Article. No specific form shall be required, except that such notice shall clearly state that an appeal is being taken from the particular decision rendered, the date of trial, the status of any fine imposed and the basis of the appeal. Pending appeal, the decision appealed from and the penalty imposed shall remain in full force and effect.

Section 7. Expelled members can re-affiliate with the International Association only by gaining the consent of the local union which expelled them and the further consent of the General Executive Board. A copy of trial proceedings must be forwarded to the General Office in all instances of membership expulsion.

Section 8. For the purpose of hearing appeals the General Executive Board shall sit during its semi-annual meetings and whenever called into session for such purpose by the General President.

Section 9. The failure of any party to appear in such case before the General Executive Board shall constitute a waiver of appearance, and the appeal shall be heard just as though he were present.

Section 10. Any party to a trial or appeal before the General Executive Board may appeal its decision to the following Convention, whose action, if any be taken, shall be final. Notice of appeal from a decision of the General Executive Board shall be filed with the General Secretary-Treasurer not more than ninety (90) days after the publication of "The Insulators Union Journal" which contains no-

tice of the action of the General Executive Board. Full compliance with any decision issued, including payment of any fine imposed, shall be a condition of filing an appeal with the convention.

Section 11. Any member who is discharged for cause shall be directed to appear before the next meeting of the local union executive board to explain the circumstances resulting in the discharge. Any member who is discharged for cause twice will be charged by the local union business manager with violating Article XXIV, Section 1(n) of the Constitution and Bylaws, if the business manager concludes after investigation that both of the discharges were for good cause. Such charges shall be heard and tried by the local union executive board and governed by the procedures set forth in this article. Any member who is discharged for cause three times shall be charged by the local union executive board or business manager with violating Article XXIV, Section 1(n) of the Constitution and Bylaws, if the business manager/executive board concludes after investigation that all three discharges were for good cause. Such charges shall be filed with and decided by the General President and heard by the General President or his designated hearing

officer. The penalty for such violations may include expulsion. Decisions of the General President issued pursuant to this section may be appealed to the General Executive Board provided a notice of appeal is filed with the General Secretary-Treasurer within thirty (30) days of the decision of the General President, and provided further that, prior to the notice of appeal, payment of any fine imposed must have been made in accordance with the requirements of Section 5 of this Article. The decision of the General Executive Board on appeal may be appealed to the next convention of the International Association. Full compliance with any decision issued, including payment of any fine imposed, shall be a condition of filing an appeal with the convention.

ARTICLE XXVI

The Official Journal

Section 1. “The Insulators Union Journal” shall be recognized as the official publication of the International Association of Heat and Frost Insulators and Allied Workers.

Section 2. “The Insulators Union Journal” shall be edited, published and issued quarterly

by the General President or others under the direction and supervision of the General Executive Board.

Section 3. “The Insulators Union Journal” shall be mailed to such addresses of our membership as given the editor.

Section 4. “The Insulators Union Journal” shall be devoted to the printing of officers’ reports, the minutes and decisions of the convention or General Executive Board together with all other official business, instructions, advice, etc., for the benefit of the International Association membership.

Section 5. “The Insulators Union Journal” shall, from time to time, and at the option of the editor, print official communications as forwarded by our good-standing affiliated local unions, or their individual membership.

Section 6. “The Insulators Union Journal” shall be supported by an annual general membership assessment of five dollars (\$5) on local union membership, including those on travelers, and withdrawals not connected with military service or retirement, payable to the General Office by each local union based on their membership as of October each year.

NOTICE

Your membership card must be carried on all work.

You must produce it upon demand for inspection by any labor official or other authorized person.

The color of the stripe on your membership card shall denote the classification: gold, honorary; brown, mechanic; gray, International exempt; green, apprentice or improver; red, hazardous material handler mechanic; blue, hazardous material handler helper; yellow, quality control; orange, commercial applicator; pink, production worker; beige, firestop technician.

The “good standing” of this member shall be determined by the official receipts he holds showing the payment of dues and assessments in accordance with Article XIII.

A member losing his membership card shall have another issued him by the General Office upon request of his local union financial secretary.

LOCAL UNION ORDER OF BUSINESS

1. Call to Order.
2. Call of Roll.
3. Minutes of Previous Meeting.
4. Reports of Executive Board.
5. Communications and Bills.
6. Reports of Officers.
7. Reports of Committees.
8. Initiation of New Members.
9. Unfinished Business.
10. New Business.
11. Election and Installation of Officers.
12. Good and Welfare.
13. Receipts and Expenditures.
14. Adjournment.

THE PROFESSIONAL CRAFTSMAN CODE OF CONDUCT RULES AND POLICY

Overview

The International Association of Heat and Frost Insulators and Allied Workers (IAHFIAW) “Professional Craftsman Code of Conduct” is a program for IAHFIAW Local Unions in the construction industry to promote and bring about the best from our construction members on jobs performed by our signatory contractors.

The Professional Craftsman Code of Conduct

- Highest Quality and Quantity of work
- Using best skills
- Using best work practices

The goal of the Professional Craftsman Code of Conduct is a job built on time under budget and built right the first time.

- < The Professional Craftsman Code of Conduct will instill in our membership pride in their craftsmanship. Upon com-

pletion of the job, the lasting impression of the quality workmanship will remain with the customer, prompting him to utilize the IAHFIAW again.

- < The Professional Craftsman Code of Conduct will be accomplished through teamwork on the job, and projecting a positive attitude about the work we perform on and off the job.
- < The Professional Craftsman Code of Conduct must have the total support of the Local Union at all levels. The Officers of every Local Union must pay particular attention to the task by setting an example for others to follow, as well as the promotion of the Professional Craftsman Code of Conduct.

IAHFIAW Local Union Responsibilities

The Business Manager, through and in partnership with the Quality Control Craftsman (QCC), shall insure the responsibilities of the IAHFIAW Local Union in implementing the Professional Craftsman Code of Conduct assuring it is met every day, by every member.

Responsibilities include but are not limited to:

- < All members are adhering to the contractual starting and quitting times.
- < Break times are limited to the time allowed by the Contract, or Agreement(s).
- < Members are adhering to the lunch periods established in the Agreement.
- < Members shall meet their responsibility to have all tools on the established tool list and will carry the necessary and proper tools to meet their contractual responsibility as highly skilled, qualified craftsman.
- < Members meet their responsibility in taking care of the tools provided by the employer.
- < Members meet their responsibility to be fit for duty, and our zero tolerance policy for substance abuse is strictly met.
- < Members are productive and efficient.
- < Members meet their responsibility to the employer and fellow members employed on the job arrive for work on time and ready to work.
- < Members will meet their contractual responsibility to eliminate disruptions on the job.

- < Members will respect the property of the customer, graffiti and other forms of destruction and waste will not be tolerated.
- < Member will respect the Customer, Client(s), Contractor and the IAHFIAW by not wearing clothing or buttons that contain offensive wording or symbols.
- < Slowdowns, and other methods utilized to extend jobs or provide for overtime will not be tolerated.
- < In accordance with Article 24 Section 1-J of the Constitution and By-Laws Walk-offs will not be tolerated. Causing or participating in a work stoppage of work because of any alleged grievance or dispute without having the approval of the Local Union, or its duly authorized officers, shall result in a minimum fine of one thousand dollars (\$1,000), no portion of which shall be held in abeyance.
- < Any inappropriate behavior toward another member or group of members will not be tolerated.
- < Members will meet their contractual responsibility to utilize proper safety equipment and methods.

- < Members must meet their responsibility to not leave the jobsite without prior approval.
- < No member shall solicit funds on any project or job without the prior approval of the Business Manager.
- < No use of personal cell phone(s) will be allowed on the project, except for lunch or break periods.
- < No sale of merchandise without the prior approval of the Business Manager.

Methods of resolving problems through the Professional Craftsman Code of Conduct

- < In the event an individual member is not meeting membership responsibilities, the Local Union Executive Board will assume the responsibility to address problem member(s) not meeting their obligation to the IAHFIAW, up to and including charges being filed. The role of the local union is to correct the problem, by whatever means at its disposal.
- < Three Strikes You're Out Policy; a three strike policy would severely sanction a union member after the third violation,

up to and including removal from the referral procedure. After 1st discharge, member to be brought in front of Local Union Executive Board. After 2nd discharge, Local Union Business Manager to file charges; Local Union Executive Board hears charges and if found guilty member fined accordingly. After 3rd discharge, Local Union Executive Board and Business Manager will file charges to be heard by General Executive Board/General President; disciplinary action up to and including fine, suspension or expulsion.

HINTS

All surfaces to be insulated must be in proper condition to receive insulating materials.

Do not waste materials or allow them to become damaged or destroyed.

Do not permit yourself or others to work on unsafe scaffolding. Work safe and avoid accident or death.

In case of accident, immediately notify your employer and the local.

Be courteous to those with whom you come in contact and cooperate with all parties interested in your work.

Teamwork is the thing desired on all jobs. When in doubt, call your shop and business manager.

NOTES

NOTES



**INTERNATIONAL ASSOCIATION OF
HEAT AND FROST INSULATORS AND ALLIED WORKERS**

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