

BY – LAWS
OF
UNITED AUTO WORKERS
LOCAL # 402

SPRINGFIELD, OHIO

February 9, 2017

ARTICLE 1

NAME

This organization shall be known as Local No. 402, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW). The Constitution of this Union shall be the Constitution of the International Union, UAW, and these By-Laws shall be in all respects subordinate to said Constitution and all applications thereof.

ARTICLE 2

OBJECTS

The objects of this Local shall be to unite into one organization, regardless of race, creed, color, political affiliation or nationality, sex and religion, all workers employed in or around Springfield, Ohio, who are, or who may become eligible for membership in Local No. 402, U.A.W.

To improve the conditions and protect the interests of the workers by establishing a wage in accordance with the desires of its members regulating the hours of Labor and securing better working conditions for all.

To educate its members to take advantage of their industrial position and to build up and perfect an impregnable labor organization for the purpose of securing and maintaining these improved conditions for all. To promote and work for the passage of all legislation in the interests of labor enforcements, of existing laws, and repeal of laws unfair and unjust to labor.

To encourage and promote the sale and purchase of Union labeled merchandise at all times.

To promote these objects, we pledge ourselves to cooperate and deal fairly with the management when it is willing to investigate and adjust difficulties which may arise, to utilize the conference room and joint agreements, or if this fails to establish justice for the worker, to advocate and support strike action.

ARTICLE 3

MEMBERSHIP

Section 1. The Local Union shall be composed of workers eligible for membership in the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), over whom the Local union has jurisdiction.

Section 2. Each member in good standing of this Local Union has the right to nominate and vote; express opinions on all subjects before the Local Union; to attend all membership meetings and express views, arguments, and opinions on all matters and business; to meet and assemble with other members; and generally, to participate in the activities of the Local Union in a responsible manner consistent with good conscience in order to present and discuss factually, and honestly, the issues and personalities upon which the membership must base its decisions.

These rights shall at all times be subject to the rules of procedure governing meetings and other uniform rules and regulations contained in the Constitution, By-Laws, and other official rules of the Local Union.

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

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

Section 3. The initiation and reinstatement fees shall be as set forth in the Constitution (Article 16, Section 1, and Section 9). The initiation and reinstatement fees for all units shall be \$20.00.

Section 4. All Membership dues due and payable to the local union will be governed by the constitution and contract. Monthly Union Dues: 2.5 hours of straight time pay per month and 1.44% for negotiated payments and bonuses such as contract signing bonuses and profit sharing payments.

ARTICLE 4

POWERS OF ADMINISTRATION

- A.** The membership is the highest authority of this Local Union and shall be empowered to take or direct any action not inconsistent with the Constitution or By-Laws.
- B.** Between membership meetings, the Executive Board shall be the highest authority of the Local Union and shall be empowered to act on behalf of the membership to the extent urgent business requires prompt and decisive action, subject to subsequent

membership approval, but the Executive Board may not take action affecting the vital interests of the Local Union without prior membership approval.

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

ARTICLE 5

MEETINGS

Section 1. Regular meetings of this Local shall be held the second Wednesday of each month at 1:45 pm and 4:00 pm for all members affiliated with Local No. 402, U.A.W. In the event of mandatory overtime on the main production assembly line the 4:00 pm meeting will be held at 4:45 pm. The Local reserves the right to amend meeting times and dates under the guidance of the Executive Board or the President. (Steward and General membership meeting have been combined into one “General Meeting”). Amalgamated Units will set their individuals meeting date/times in conformance with the UAW Constitution.

Section 2. The business of the meeting shall proceed in the following manner:

1. Call to order
2. Roll call of officers
3. Minutes of previous meeting
4. Application/Initiation of new members
5. Report of Financial Secretary/Treasurer
6. Reports of officers, committees & delegates
7. Communications and Bills
8. Unfinished business
9. New business
10. Good and welfare
11. Installation of officers
12. Adjournment

ARTICLE 6

QUORUM

Section 1. A quorum shall consist of those members present.

Section 2. A quorum of the Executive Board shall consist of the majority of considered Board Members.

Section 3. Special local meetings shall be called by the President of the Local on order of the Executive Board or by petition of ten percent of the paid-up membership.

Section 4. Notice of special meetings of emergency nature shall be posted as many hours as is practical under the circumstances with verbal notice by officers, committeemen and stewards where practical.

ARTICLE 7

RULES

Section 1. There shall be no discussion on any subject unless there is a motion on the floor. (Except under good and welfare at the proper time).

Section 2. Anyone wishing to be recognized by the president shall raise his hand. Upon recognition he shall state his name and also whether he wishes to speak for, or against, the motion; or if the person wishes to make a motion, amendment to a motion, substitute motion; ask for a point of information; call for a point of order; or second any motion, he shall so state upon being recognized by the chair.

Section 3. No member shall speak on any subject more than once unless everyone who wishes to say something has had a chance to speak.

Section 4. All speakers shall be limited to three minutes on any one subject unless given permission by the body for more time.

Section 5. Only the recognized speaker shall have the right to remark at any one time and anyone violating this rule by booing or personal remarks shall be immediately ruled out of order by the Chairman. Anyone ruled out of order three times at any one meeting shall be removed from the hall.

Section 6. All speakers must address their remarks to the Chairman and there shall be no remarks passed across the hall.

Section 7. Any member who attends a meeting in an intoxicated condition and/or creates a disturbance, or becomes unruly shall lose voice and his right to vote at said meeting. Where necessary to maintain order, the member may be evicted from the meeting by order of the Chairman subject to the challenge of the membership. Flagrant or persistent violation of this section by any member shall be conduct unbecoming a union member

Section 8. Any member violating his or her obligation shall have charges immediately referred against him or her and shall be brought to trial. Any violation shall be governed by the International Constitution.

- a) Any member holding an elective or a functioning appointed position (i.e. Benefit, Safety, and E.A.P. representatives) shall be required to attend all regular

scheduled meetings. The scheduled meetings for the officers, committeemen, and stewards shall be as follows:

OFFICERS, COMMITTEEMEN, AND STEWARDS, and Appointed Officials – shall attend the general membership meeting in compliance with ARTICLE 5, Section 1 of the By-Laws.

OFFICERS – will have an executive board meeting once a week and the executive board to decide on time and day themselves.

All members of this local union holding an elected or appointed official position are required to attend:

- b)**
 - 1) Two out of every consecutive three membership meetings in each calendar quarter, unless officially excused for cause by the attendance committee. The Executive Board and/or President shall review all excuses and shall have authority to act on excuses to ensure uniformity of application and the operations of the Local Union.
 - 2) Two of every three consecutive meetings other than membership meetings expected of their respective office or position, unless excused as above in Section 1.
 - 3) Failure of any elected or appointed official to comply with the above attendance rules shall result in automatic removal from office or position and they shall not be permitted to run for the same elective office for the balance of the term of office for which they were removed except as a delegate to the International Union Constitutional Convention.
 - 4) For the purpose of this section, an attendance committee shall be appointed and consist of a minimum of one officer, one bargaining committeeman and one steward who shall be responsible for keeping records. The officer so appointed shall give a report to the Executive Board.
- c)** A member removed from office, or position, under the above provisions shall not be eligible to run for any position for the remainder of the term of office from which he was removed. However, this section shall not affect a member's eligibility to run for delegate to a UAW Constitutional Convention.
- d)** Any member so removed will be permitted to appear before the Executive Board or the membership meeting to appeal his removal if not consistent with the above provided he exercises this within thirty days from notice of removal.

Section 9. A list of applicants shall be read at the local union meeting and, if not challenged, a majority vote shall declare the applicants eligible for obligation and membership.

In case of an applicant being challenged no action shall be taken at that meeting, but shall be acted upon at the next regular meeting or within thirty (30) days. The challenger of a candidate at the next meeting shall personally appear with a written reason for the challenge

Section 10. All shop stewards shall head the seniority list in their respective departments and they must be a member in continuous good standing in Local No. 402, UAW, for at least one year before they can become eligible to be a steward. These provisions would not affect ARTICLE 17, Section 4, of the International Constitution.

Section 11. There shall be no discrimination shown by any steward as to the job or members he is to represent.

Section 12. The bargaining committee shall supervise the grievance structure and all other activities pertaining to working conditions in the plant.

- a) In case of emergency, the bargaining committee shall appoint a steward whose duty it shall be to serve until an election can be held.

Section 13. It shall be the duties of all members of the bargaining committee to meet with their respective stewards.

Section 14. Under no condition shall a committeeman confer with a plant foreman on any grievance, without first notifying the steward of the department. It shall be the duty of the Chairman of the Bargaining Committee to see that the above rule is carried out. Any infraction of the above rule will be cited to the executive board and will necessitate removal action from office, to be taken before the local union at its next regular business meeting after the filing of the complaint.

Section 15. Grievance procedure shall comply with the contract between the Company and the Union.

Section 16. No petitions shall be passed in the shop without first being approved by the executive board except in case of recall petitions.

Section 17. **RECALL PROCEDURE**

1. A shop steward or committeeman may be recalled by the members he represents for failure to perform the duties of his office.
2. A vote on the question of recalling a steward or committeeman may be initiated by a petition setting forth the reasons why the recall is sought,

and signed by at least twenty-five percent of the current members working under the jurisdiction of the steward of committeeman.

3. Twenty-five percent of the current members working under the jurisdiction of the steward or committeeman must be present at the recall meeting to establish a quorum.
4. A two-thirds vote of those present and voting is necessary to recall.

Section 18. Any member taking care of union business shall be granted a leave of absence for the duration of such business.

- a) When any member is required by the local union to perform a service away from home and must remain over night, he will be paid the following:
 1. Lost time equal to his earning capacity, excluding overtime.
 2. Actual travel expenses by shortest route to and from his destination.
 3. Actual hotel or motel cost including parking lot and garage fee at motel or hotel.
 4. Per diem allowance to be paid in compliance with I.R.S. Publication #463 (Travel, Entertainment, Gift, and Car Expenses), but not to exceed International Union rates: however, per diem may not exceed International Executive Board policy.
 5. All money not spent shall be refunded to the financial secretary of Local 402. Expenses for transportation are to be paid for the actual mode of transportation used. Mileage expenses can be paid only to the driver of the car.

- b) When any member is required by the Local Union to perform services away from home but not remain over night, he shall be allowed an amount for time lost equivalent to his earning capacity, excluding overtime, and in addition to this, necessary expenses by the shortest route to and from his destination and actual incidental expense not to exceed ½ per diem in accordance with International Union rates.

Section 19. When any member is required by the Local Union to perform services away from home and provides his car as transportation for committeeman and delegates, he/she shall be allowed the maximum allowance per mile in accordance with I.R.S. Publication #463 (Travel, Entertainment, Gift, and Car Expenses) to cover all car expenses not to exceed International Union Executive Board policies. Mileage expense can be paid only to the driver of the car. All decisions relative to methods of transportation to be used shall be decided by the proper Local Union authority.

Section 20. The Local Union shall pay a representative or member lost time, excluding overtime, only when that representative or member is performing necessary duties for and on behalf of the local union during a time for which he/she would otherwise be compensated by

the employer (excluding overtime) for the same period of time for which he/she is being compensated by the local union. The above shall include any other compensation (including lump-sum pay for lost time in accordance with the main labor contract) a member may lose while performing for, and on behalf of the local union, excluding overtime.

Section 21. There shall be established within this Local Union a retired workers chapter which shall be named Retired Workers Chapter of Local 402, United Auto, Aerospace and Agricultural Implement Workers of America, UAW. The officers of the retired workers chapter shall be as follows:

Chairman, Vice-Chairman, Recording Secretary, Financial Secretary, and Sgt-At-Arms. All officers of the chapter shall be elected by secret ballot by retirees only. These officers shall be elected by plurality vote and shall serve for a period of two (2) years. The members of the retired worker chapter shall elect a retired member from its membership to serve as member-at-large of the local union executive board with voice and vote in accordance with ARTICLE 38, Section 5 of the constitution.

ARTICLE 8

COMMITTEES

Section 1. Committees will be set up under the Constitution and will be as follows:

1. Constitution and By-Laws Committee
2. Union Label Committee
3. Education Committee
4. Conservation and Recreation Committee
5. Community Services (Welfare) Committee
6. Civil and Human Rights Committee
7. Citizenship and Legislative Committee
8. Consumer Affairs Committee
9. Veterans Committee
10. Women's Committee
11. Skilled Trades Committee
12. Election Committee
13. Chaplaincy Committee

Section 1. Committees shall be appointed by the President of the local Union subject to the approval or changes by membership as provided in Article 44 of the International Constitution

Section 2. No member can be on more than two committees at any one time.

Section 3. Any member serving on any committee who does not function shall be removed and replaced and shall not be eligible to serve on any committee for the ensuing year.

Section 4. The various committees shall be composed of as many different members of the Local as feasible.

Section 5. The Community Services Committee shall consist of at least ten (10) members at all times to be appointed to serve by zones throughout the Local Union.

It shall be the duty of this committee to oversee the distribution of items to comfort members in need. The Community Services Committee shall recommend the limits to be of a fair and reasonable rate.

Section 6. The Education Committee shall be appointed and shall consist of as many members as the local may deem necessary and it shall be the duty of this committee to educate the membership on union activities, history, and current labor problems.

Section 7. The Conservation and Recreation Committee shall consist of a chairman of a sub-committee for activities listed below and a general chairman for all recreational activities. Sub-committee shall be appointed for each of the following activities:

Softball
Bowling
Golf
Miscellaneous Activities – i.e. archery, fishing, etc.

Each sub-committee will consist of as many members as are necessary to carry out a well-rounded program and shall be designated as the need arises.

- a) To serve all members of the local union by aiding them to obtain a greater appreciation of the physical, social and cultural benefits through participation in a well-rounded recreational program.
- b) Strengthening the bonds of friendship among its members through association in various recreational activities.

The duties of the Recreational Committee shall be as follows:

- a) To supervise and direct the recreational activities of the Local Union
- b) To obtain physical facilities and necessary professional leadership for the recreational activities of the Local Union.
- c) To be responsible for the care and preservation of the property used for recreational purposes.
- d) To make a full and complete inquiry among members of the Local to ascertain whether or not the city has provided adequate recreational facilities for their children and before the expiration of its term of office to make a complete report to the general membership of its investigation together with its recommendations.

Section 8. The Constitution and By-Laws Committee shall have all changes in the constitution and by-laws referred to them before being passed on by the Local Union.

Section 9. The Skilled Trades Committee shall consist of not more than seven (7) members and such committee shall be elected by the members in the skilled trades departments.

ARTICLE 9

ELECTIONS AND ELECTION COMMITTEE

Section 1.

- a) Nomination and election of Election Committee of not less than eight (8) members and seven (7) alternates shall take place at the regular membership meeting in the month of April every two (2) years.

The Chairman of the Election Committee will be elected by the regular members and alternates. Alternates can vote for chairman of the election committee but, as alternates, they cannot run for chairman of this committee.

Section 2. The Election Committee to be elected for a two (2) year term.

Section 3. The duties of the Election Committee shall be as follows:

1. To determine the deadline for acceptance or declination
2. Ascertain the eligibility of the nominees and properly notify same by mail
3. Provide for printing of ballots for each member in good standing
4. Set election date subject to membership approval and see that election is properly advertised through the bulletin boards
5. Maintain the proper polling place, or places, which shall be open from 5:30 am until 4:00 p.m. (In the event the Navistar Truck Unit has mandatory Overtime, the polls will stay open until 5pm). Amalgamated Units: Navistar TSC – 5:30am to 12:30pm, Akzo Nobel – 1pm to 2:30 pm, Clark County Engineers – 3:30 pm to 4:30 pm.
6. To publish all names of candidates at least seven (7) days preceding election on the Local Union bulletin boards in the plant, or plants
7. To pass on all challenged ballots
8. To supervise voting, count the votes, provide adequate checks to prevent fraud, and report results of election at the next membership meeting.

Section 4. Full-time duty shall be limited to election day and the day following the election at which time the ballots will be counted. For a part-time day each member will receive his/her actual rate of pay for such time lost. This procedure will apply to all members.

Section 5. a) The Election Committee shall provide for members with disabilities the

right to vote.

- b) Voting facilities to be provided at the following locations subject to being open, manned, and viable:

Assembly plant far North Gate A
Assembly plant: Gate B Entry
Assembly plant: Gate C Entry
Assembly plant far South Gate D
CAS/Paint facility
T.S.C. plant
AKZO-Nobel plant
Clark County Engineers
Local 402 Union Hall

Section 6.

- a) Nominations of Local Officers and Chairman of Bargaining Committee to be held at the regular membership meeting during the month of April.
- b) Election of Officers, Committeemen, and Delegates – where there are more candidates for any office than there are vacancies, the membership having made a decision that the names be placed on the ballot in order determined by lot. This also shall apply to Local Union delegates to the UAW Constitutional Convention.
- c) The Recording Secretary of the Local Union is required to mail notices of not less than fifteen (15) days prior to all triennial Local Union elections to all members in good standing at their last known home address.

Section 7. Acceptance or declinations may be mailed to local union office by registered letter or certified mail, and in the local union office preceding the deadline prescribed by the election committee. Such registered letter or certified mail shall remain sealed until after the deadline.

Section 8. Nominations for Bargaining Committee will take place in the month of April or May. Any member in good standing for one (1) year shall be eligible to be nominated for the Bargaining Committee. No member will be permitted to run for election as bargaining committee member in more than one (1) zone. Bargaining Committee shall be elected by plurality vote. The elected Committeeman will appoint his/her alternate.

Section 9. a) Following Bargaining Committee elections, steward elections will take place with a minimum of seven (7) calendar days for notice of posting of the election. The meeting for election will be conducted by members of executive board and/or bargaining committee. Stewards shall be elected by plurality vote.

- b) In case of a tie vote, the executive board member and/or bargaining committeeman will re-post the date, time, and place for nominations and election of Steward for that area and shift.
- c) In the event of a tie after the third posted election, the election will be determined by seniority (hire date) and the senior member will be elected.
- d) In the event of a unit/department/zone where there are only two members and after the first election it results in a tie vote and another election would be nonproductive, the election will be determined by seniority (hire date) and the senior member will be elected immediately after the first election.

Section 10.

- a) All shop Stewards will be elected for two (2) years.
- b) All zone Committeemen will be elected for three (3) years.
- c) The Workers' Compensation representative will be elected for a term of three (3) years.
- d) The Pension/Insurance/S.U.B. representative (a.k.a. Benefit Representative) will be appointed per U.A.W. master contract
- e) The Chairman of the Bargaining Committee shall be a member-at-large of the Executive Board. The Chairman of the Bargaining Committee will be elected by plurality vote with voice and vote on Executive Board with also a three (3) year term of office.

Section 11. ELIGIBILITY:

- 1) No member shall be eligible for election as an Executive Office, Committeemen, or Steward until he has been a member in continuous good standing in Local No. 402, UAW, for at least one (1) year immediately prior to the nomination. These provisions would not affect ARTICLE 17, Section 4 of the International Constitution.
- 2) No employee shall be elected Steward to represent employees outside of his permanently assigned department and/or area or shift.
- 3) Employees temporarily assigned to another area or department must participate in the steward election conducted in his permanently assigned department and/or area and shift.

- 4) Employees in new or departments that have not acquired seniority status; refer to Article IV, Section 4 of the Master Agreement.

ARTICLE 10

GENERAL

Section 1. Delegates to the International Convention will be elected in conformity with the Constitution of the International Union.

Section 2. All Local Union Officers, Committeemen, Stewards and other members handling funds or other property of the Union shall, at the completion of their duties, turn over all papers, documents, funds, and/or other Union property to the properly constituted Local Union Officer.

Section 3. The fiscal year of the Local Union shall be from January 1 thru December 31.

Section 4. The By-laws of the Local Union shall at all times be subordinate and subject to the provisions of the Constitution of the International Union, as such Constitution now exists or may from time to time hereafter be altered or amended, and in the event of any conflict, the Constitution of the International Union shall govern.

Section 5. The number of Committeemen shall be determined by the membership of the Local Union.

Section 6. The Executive Board is empowered to authorize payment of all ordinary bills and expenses of the Local Union.

Section 7. Wherever in these By-laws a pronoun is used, it refers equally, where the reference is applicable, to both men and women in the singular and in the plural.

Section 8. The Steward body shall exclusively perform advisory functions and shall be a non-legislative body within the local union structure.

Section 9. No agent or official of the Local Union is authorized to execute a real estate lease, deed, service or maintenance contract, or other long-term agreement unless the proposed agreement has been reviewed by an outside expert or attorney and approved by the Local Union Executive Board.

Section 10. Full-time staff employed by the Local Union may be eligible to receive a bonus at the discretion of the President and/or the Executive Board.

ARTICLE 11

Labor Strike Organization

Section 1. In the event of a strike, a strike committee shall consist of the Executive Officers of the Local Union, the plant Bargaining Committee, and such others as may be elected by the membership.

Section 2. The duties of the strike committee shall be as follows:

- a. To have full responsibility pertaining to the conduct of the strike.
- b. To constitute, with the international officers and the Local Union Officers, a strategy board; and to plan and effectively carry out all strike strategy.
- c. To cooperate with the Local Union negotiating committee who shall conduct all strike negotiations with management.
- d. All strikes shall be called or terminated only in strict conformance with ARTICLE 50 of the International Constitution.

ARTICLE 12

Local Executive Officers

ARTICLE 38, Section 2 of the Constitution of the International Union; the Local Union shall have the following Executive Officers with each having a term of three (3) years:

President
Vice-President
Recording Secretary
Financial Secretary/Treasurer
Trustee
Trustee
Trustee
Sergeant-At-Arms
Guide

ARTICLE 13

By-laws may be amended by presenting a motion in writing setting forth the amendments sought to a membership meeting. The motions shall be read to that meeting and referred to the Constitution and By-laws committee which will report to the succeeding membership meeting, the notice of which will contain a notice of the particular By-law amendments that will be considered. If approved by two-thirds of the membership present at the succeeding meeting, the amendment shall be considered adopted by the membership. Notwithstanding the foregoing, these by-laws may be amended by unanimous action of the membership

present at the first meeting where they are presented without the necessity of being referred back to the By-laws committee or subsequent membership meeting if the notice of such first membership meeting clearly sets forth the proposed amendment or amendments which will be considered and further sets forth that the amendments as advertised may be adopted without further action by unanimous vote of the members present and voting at said meeting. The notice above shall mean any publication of the local union distributed at the plant gates or placed on in-plant bulletin boards prior to membership meeting.

Any appeal from the decision of a lower body of the Local Union such as Executive Board, Bargaining Committee, etc. shall be made to the membership at a regular meeting and within thirty days of the decision of the lower body of the next membership meeting, whichever is greater.

A member dissatisfied with a decision of the Executive Board or Bargaining Committee shall comply according to ARTICLE 33 of the International Constitution.

All questions of parliamentary procedure shall be settled in accordance with “Roberts Rules of Order”, a copy of which shall be in the hall at each local meeting.

Local 402 By-Laws Committee:

Jason L. Barlow
Pat Fogarty
Lori Howard
Walter Mason
Bryon Small