

AMALGAMATED
TRANSIT UNION

DIVISION 824

A.F.L. - C.I.O.

BY - LAWS

Revised December 9th , 2019

EXECUTIVE BOARD OFFICERS

PRESIDENT / BUSINESS AGENT

MARTIN HERAGHTY

VICE PRESIDENT

BRIAN DUARTE

FINANCIAL SECRETARY / TREASURER

Robert Carle III

RECORDING SECRETARY

JUDY JEFFERSON

SHOP STEWARD

FRANK LALLY

MECH SHOP STEWARD

DOUG ARMSTRONG

PREAMBLE

We, the Amalgamated Transit Union, Local 824, this day and date, in order to secure and defend our rights and advance our interests as working men; create an authority whose seal shall constitute a certificate of character, intelligence and skill; can participate in the discussion of those practical problems upon the solution of which depends our welfare and prosperity; encourage the principal and practice of conciliation and arbitration in the settlement of all differences between labor and capital; establish order, insure harmony, promote the general cause of humanity and brotherly love, and secure the blessings of friendship, equality and trust do ordain and establish this Constitution and these Laws for the government of our Union.

DIVISION BY-LAWS

OATH

As a member of the Amalgamated Transit Union, Local 824, I, _____, in the presence of God and the members of this Union, do solemnly promise and pledge, without evasion or reservation, to support the Constitution and By-Laws of the Amalgamated Transit Union. I will keep myself in good standing by paying all dues, fines and assessments required. I will work to promote the best interests of the Union. I will not take the place of any member of this organization or any other Union worker who may be on strike or locked out. I will not allow political matters to interfere with my duties to this Union. I will not reveal private business to anyone not entitled to know the same. I will not slander or abuse the officers or members and will report to the authorized officers or to the meeting of the Union any false or slanderous stories that may be circulated to injure a member, and will not knowingly wrong a member or see one wronged if in my power to prevent it. I will not appeal to any legal authority in matters pertaining to this Union until I have exhausted all means of redress provided by its laws. I will be respectful and considerate in word and action to every person and never discriminate against a fellow worker on account of creed, color or nationality. I also promise to promote the cause of trade Union principles and defend freedom of thought whether expressed by tongue or pen, with all the power at my command.

I understand that there is nothing in this obligation that will in any way interfere with my political and religious rights or that will be in any way inconsistent with my duties arising from any of the relations of life.

This obligation I take upon my honor, and solemnly promise to keep the same as long as life remains.

Obligated member sign full name here

AMALGAMATED TRANSIT UNION
LOCAL 824

A.F.L - C.I.O.

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ARTICLE 1

Principles

Resolved: That we hold as sacred principle, that trade Union persons above all others should set an example as good and faithful workmen, performing their duties to their employers with honor to themselves and to their organization.

Resolved: That we hold a liberal education of the young to be preeminent preparation for life's social and industrial work, and that the principles and purposes of organized labor demand free and necessary education.

Resolved: That we encourage and stimulate our members to take lively interest in the civil affairs of their community and effectively for the interests of the working people.

ARTICLE 2

Special Rulings

1. Resolved: That this local does hereby endorse all labels, buttons and cards issued by organizations and crafts affiliated with the AFL-CIO.
2. All members shall do their utmost to promote the welfare of Local 824, and shall help any member, regardless of creed, color or nationality .
3. All members of Local 824 shall abide by the Constitution, General Laws and By-Laws of the Amalgamated Transit Union
4. An American Flag, not less than 3' by 5' shall be correctly mounted and displayed at each Union meeting.

ARTICLE 3

SEC. 1. Members of the Union who face the loss of their license and who assumes an alternative position within the company shall not suffer any loss of bidding or classification seniority until after one year at which time loss of seniority accrues day for day. The member must show proof to the Executive Board of their impending loss of license. Upon restoration of license or hearing decision to retain their license, member than shall apply immediately for return to their former position.

SEC. 2. Members of the Union who are granted or extended a leave of absence shall not suffer the loss of any seniority. Subject to the approval of the Executive Board.

ARTICLE 4

Officers

SEC. 1. The officers of this Local Union shall consist of a President / Business Agent and first delegate to conventions and the State Council. The Vice President and second delegate to the State Council and first alternate to conventions. The Financial Secretary and first alternate to the State Council and second delegate to conventions. Recording Secretary and second alternate to the State Council and second alternate to conventions.

SEC. 2. The Executive Board of this Local Union shall consist of the President, Vice President, Financial Secretary, Recording Secretary and Shop Stewards by virtue of their office.

SEC. 3. The Executive Board may appoint a position of Warden; such position shall not be considered as an officer of the Executive Board.

ARTICLE 5

Duties of Officers

SEC. 1. It shall be the duty of the President / Business Agent to preside at all meeting of the Local Union; to preserve order and enforce the Constitution and By-Laws; to see that all officers perform their respective duties and appoint all committees not otherwise provided for. He shall decide all questions of order, subject to an appeal to the Executive Board, the membership, and the International Office. He shall have a right to vote in case of a tie, when he shall cast the deciding vote. He shall announce the result of all votes. He shall enforce all fines and penalties. He shall have the power to call special meetings when requested by one-third or more members in writing. He shall sign all orders on the treasury for such money as shall be ordered paid by the Constitution, By-Laws or by vote of the Local Union. He shall sign all checks and drafts on bank. He shall perform such other duties as required by the Constitution and By-Laws. He is the first delegate to the International and AFL-CIO conventions and to the State Council.

SEC. 2. It shall be the duty of the Vice President in the absence of the President to perform all duties pertaining to the office of the President. He shall render such assistance as may be required of him. In case of a vacancy in the President's office, he shall preside until the Local Union elects a President to fill the vacancy. He is first alternate to the International Convention and second delegate to the AFL-CIO conventions and to the State Council.

SEC. 3. It shall be the duty of the Financial Secretary to keep a true and proper account between the Local Union and its members. He shall collect all moneys due the Local Union. He shall report to the Local Union at each meeting the amount collected. He shall make a quarterly statement to receipts, deposits, expenditures and balances and deliver his books to an auditor every three months. He shall see that the Local Union is kept in good standing with the International, forwarding all reports to the General Office and receiving receipts for the same. He shall make no disbursements without an order from the President, attested by the Recording Secretary. He shall report quarterly all moneys received and paid out by him. He shall, in the name of the Local Union, deposit all moneys in the bank that the Local Union may select, only to be drawn upon drafts signed jointly by himself and the President. He shall give such bonds as the Local Union may require.

SEC. 4. It shall be the duty of the Recording Secretary to keep a correct account of the proceedings of the Local Union. He shall call the roll of officers, carry on all correspondence and report to "In Transit" all times of news and interest affecting the Local Union and International and act as local agent for the official journal. He shall perform such other duties as pertain to his office and to deliver to the Local Union at the expiration of his term of office all properties entrusted to his care.

SEC. 5. It shall be the duty of the Warden to supervise and regulate as to conform with the By-Laws of the Local Union. He shall be appointed by the President at each union meeting.

SEC. 6. It shall be the duty of the Executive Board to supervise and direct the management of the Local Union. They may constitute the Grievance Committee and shall investigate all disputes and controversies between the members of the Local Union and the Companies, and report their finding to the regular meetings of the Local. The Executive Board shall be empowered to call special meeting of the Local Union to consider any matter or matters so warranted. It shall have the authority to submit the results of negotiations on agreements or other matters of importance to the entire membership for a referendum vote to be conducted under conditions and times determined by the Executive Board. They shall appoint the time for their meetings which shall be at least once a month. Special meetings shall be called by the President/ Business Agent as deemed necessary. The majority of the Executive Board shall constitute a quorum.

SEC. 7. The Executive Board shall decide whether or not an appeal through arbitration shall be taken.

ARTICLE 6

Laws Governing Nominations and Elections

SEC. 1. Notices of nominations and elections shall be posted at all places where the Local Union has bulletins at least seven days prior to the date of holding the nomination or election.

SEC. 2. Members to be eligible for nomination or election must have been in continuous good standing for two years prior to election.

SEC. 3. The nominations for all officers and delegates for the Local Union will be held at the regular meeting in November prior to expiration of term of office.

SEC. 4. Members nominated for office at the nomination meeting, must notify the Recording Secretary in writing within seven days if they will accept or reject the nomination. The Executive Board must do all in its power to notify candidates for office. If a member nominated does not notify the Recording Secretary within seven days, he is automatically disqualified. Members have the option to accept or reject the nomination orally at meeting.

SEC. 5. The general election of all officers shall take place on the first Friday before the regular meeting in December. Should a run-off be necessary, it shall be held on the Friday after regular meeting in December.

SEC. 6. Installation of officers will be at the regular meeting in December, and their duties shall begin on the first of the year.

SEC. 7. All officers elected by the Local Union shall fill their respective offices until their successors are elected and installed.

SEC. 8. At least fifteen days notice of any election must be mailed to each Local Union member at last known home address. A sample ballot of nominees must be posted no less than seven days on all union bulletin boards prior to election.

SEC. 9. The Recording Secretary, or other officer designated, shall preserve for three years the ballots and all other records pertaining to any election of Local Union officers.

SEC. 10. Any candidate shall have the right to have an observer at the polls and at the counting of the ballots.

SEC. 11. No member who is disqualified from holding office under the provisions of Sec. 504 of the Labor-management Reporting and Disclosure Act of 1959 shall be eligible for holding office in the Local Union.

SEC. 12. The election of officers and Executive Board members shall be held by the majority system. The candidate with the most votes is elected. No run-offs, except for an exact tie.

ARTICLE 7

Voting

SEC. 1. The voting place for the Local Union shall be at the work location unless otherwise stated and designated by the Executive Board. Retirees to be able to vote at any location.

SEC. 2. The President shall appoint members of the Election Board upon approval of the Executive Board. No candidate shall be allowed to be on the Election Board. Two Election Board members per location and one chairman for both locations. The Financial Secretary is the chairperson of the election committee.

SEC. 3. Ballots for the election shall be printed with numbered stubs and the names of the candidates inserted upon the ballots in alphabetical order. Polls shall be opened from 6:00 a.m. until 6:00 p.m. All members shall vote in person, proxies not allowed. None but the Election Board, voting member and candidate's observer shall be permitted in the polls. All candidates must remain twenty-five feet from the polls. It shall be the duty of the Election Board to see that no members or candidates shall loiter at the polls. Voting machines may be used if desired by the Local Union. A list of eligible voters will be available and checked off as members vote.

SEC. 4. When the polls have been closed after the election all ballots must be counted and tabulated in duplicate in public at the polls. One copy must be posted at each location immediately after the ballots have been counted. The other copy of the tabulation must be placed in the ballot box with the ballots. The box must then be sealed and sent to the Financial Secretary's office.

SEC. 5. Regardless of the numbers of members voting, the candidate receiving a majority of all votes cast must be declared elected.

SEC. 6. The President shall appoint a member to fill any vacancies that may occur during his term of office, subject to the approval of the Local Union, providing that such unexpired term does not exceed ninety days. If any unexpired term does exceed ninety days, an election shall be held to fill the vacancy.

SEC. 7. All officers when resigning , withdrawing or at the expiration of their terms, shall turn their books, papers and properties pertaining to their office, over to their successors or to the Local Union.

ARTICLE 8

Finances

SEC. 1. Any member suspended for nonpayment of dues shall pay a reinstatement fee of \$1.00 extra plus assessments before they may be put back to work.

SEC. 2. The initiation fee of the Local Union shall be \$300.00 payable to the Financial Secretary, \$100.00 per month for drivers for three months, \$50.00 per month for mechanical dept. for six months.

SEC. 3. The Financial Secretary shall pay to the International Office the per capita tax required under the International Constitution.

SEC. 4. All requests for donations must be presented at the regular meeting and approved by the members.

SEC. 5. The audit of the books of the Local Union shall be by accountants, either certified public or independent required under sections 35.3 and 35.4 of the International Constitution and By-Laws.

SEC. 6. When members are off their regular work for the purpose of working for the Local Union, they shall be paid expenses equivalent to ten hours straight time at the prevailing rate of operators or what their work pays, whichever is greater, plus expenses. Members not off their regular shall receive \$25.00 expenses.

SEC. 7. Salaries of officers shall be as follows:

President-

55 hours per week at top rate mechanic in location.

\$150.00 per week expenses.

Up to \$500.00 per year for auto insurance.

Payment of Local Union related telephone expenses.
Other expenses per membership approval.

Vice President :
10 hours @ Operators top rate

Financial Secretary :
14 hours @ Operators top rate

Recording Secretary :
5 hours @ Operators top rate
Operators Steward :
10 hours @ Operators top rate

Mechanical Steward :
10 hours @ Mechanic top rate

Raritan Valley :
\$300.00 per year.

Payment is weekly for President and optional for officers and stewards monthly or yearly.

SEC. 8. Upon the death of a members immediately family a member of the Executive Board will present the member with a bible.

SEC. 9. Any member who is out on sick disability for over 14 days consecutively or more is entitled to a \$75.00 Shop-rite Gift Card.
Members on Worker's Compensation are not eligible for this benefit.

Sec. 10. Any member while out on Worker's Compensation and who falls behind on their dues, and has not paid the full yearly amount by December 31, must follow a payment schedule to become current with last years dues.

The following payment schedule will be followed:

Under \$500 owed, an extra \$50 per month will be assessed from payroll till dues become current.

Over \$501 owed, an extra \$100 per month will be assessed from payroll till the dues become current.

ARTICLE 9

Meetings

SEC. 1. Regular meetings of the Local Union shall be held on the second Monday of each month, unless otherwise specified by the Executive Board. The morning meeting shall be held at 11:00 a.m.; the afternoon meeting at 3:45 p.m. A total of ten members in good standing from all meetings shall constitute a quorum.

SEC. 2. The Executive Board shall meet on the last Monday of each month, unless otherwise specified by the President.

SEC. 3. The President or three members may request a special meeting of the Executive Board.

SEC. 4. Special meeting of the Local Union may be called by the Executive Board, or by 10% of the members in good standing who sign a petition for the same. No business shall be transacted at a special meeting except that set forth in the call. Three days notice must be given to all members of such special meeting; stating place, purpose and time of the meeting, signed by the President and posted on the Union bulletin board.

SEC. 5. Members of all departments; mechanics, operators, or field salary, may hold special or regular meetings with Local Union officers to take up questions or grievances of their respective sections; however, no questions relative to the entire membership shall be acted upon at these meetings. All officers and shop stewards must attend at least six regular meetings yearly or forfeit his/ her office; unless on extended illness or Union business.

SEC. 6. All special committees shall report in writing at the next regular meeting after their appointment, unless otherwise specified.

SEC. 7. Any member who shall, during a meeting of the Local Union, make use of profane or improper language, shall be publicly reprimanded by the presiding officer, and any member who shall appear in a meeting in a state of intoxication shall be expelled from the hall during the session.

ARTICLE 10

Rules of Order

Rule 1. The chairman shall be privileged to debate upon all subjects, calling any other member to the chair.

Rule 2. When a motion or a resolution is once moved, seconded and stated from the chair, it shall be in possession of the Local Union and can only be withdrawn by consent of the Local Union of the member making the motion.

Rule 3. No question shall be considered or debated until it has been seconded and stated and before putting it to the vote the presiding officer shall ask if there are any further questions. Any member may move for its reconsideration at the same or next meeting thereafter, but not afterwards.

Rule 4. When a question is under debate, no motion except to adjourn, lay on table, postpone, to commit or amend, in that order, shall be received. A motion for adjournment shall always be in order and decided without debate except if a member has the floor at which time no motions shall be in order unless he yields through courtesy. A motion to strike out the enacting words of a proposition of any kind shall have precedence of a motion to amend and if carried shall be considered equivalent to its rejection.

Rule 5. Any member entitled to vote may call for a rising vote and a majority of members may call the previous question.

Rule 6. The previous question shall be stated in this form; "Shall the main question now be put?", and if carried it shall preclude debate and all further amendments.

Rule 7. Should more than one member arise to speak at the same time, the chairman shall determine who is entitled to the floor.

Rule 8. No member shall be allowed to speak more than once upon the same question until all wishing to speak have had an opportunity to do so, unless to explain, in which case he shall confine himself strictly to such explanations.

Rule 9. The member by whom a motion subject to discussion was made shall be entitled to the opening argument upon the same, and previous to putting such motion to final vote, he shall be offered an opportunity to close the discussion, unless he has already spoken twice upon the subject, in which event he may be allowed to speak only upon permission from the Local Union.

Rule 10. Any member offering a protest against any of the proceedings of the Local Union may have the same, if in respectful language, entered in full upon the minutes.

Rule 11. The number of votes necessary to determine a question where there is no special regulation to the contrary, shall always be a majority, and in the case of a tie, the President (unless he is directly interested in the question) shall give the deciding vote.

Rule 12. A motion to lay on the table shall neither be debated or amended.

Rule 13. No motion or proposition on a subject different from that under consideration shall be admitted under color of an amendment.

Rule 14. An amendment of an amendment to an amendment shall be wholly inadmissible.

Rule 15. All questions of order not provided for by these rules must be determined by "Roberts's Rules of Order" and the Constitution and General Laws.

ARTICLE 11

Order of Business for the Local Union

1. Call to order by the President.
2. Warden examine members present.
3. Roll call of officers.
4. Reading of the minutes of the previous meeting.
5. Propositions for membership.
6. Reports of committee on candidates.
7. Balloting for candidates.
8. Initiation of candidates.
9. Communications and bills.
10. Reports of officers.
11. Reports of delegates and standing and special committees.
12. Unfinished business.
13. New business and welfare of the division.
14. Nomination and election of officers.
15. Installation of officers.
16. Receipts and expenditures.
17. Adjournment.

ARTICLE 12

Grievance Procedure

1. Appeal to location delegate.
2. Appeal to Local Union President
3. Appeal to Executive Board.
4. Appeal to Membership at regular meeting.
5. Appeal to State Council by written request.
6. Appeal to the International President by written request.

The By-Laws and Rules of the Local Union and amendments thereto to be legal and effective, shall be read at two regular meetings of the Local Union before adoption and shall require a two-thirds vote of the membership in attendance and voting at the second union meeting to adopt. After adoption by the Local Union, the By-Laws Rules or amendments so adopted shall be forwarded to the International President for approval, and must have the approval of same before going into affect.

No part of these By-Laws shall be repealed, altered, annulled or suspended unless by a proposal in writing presented to the Local Union at two stated regular meetings previous to the discussion, when and if two-thirds of the members present vote in favor of the change, it shall be adopted and sent to the International office for final approval.

ARTICLE 13

Discipline of members

Any member having charges preferred against them and found guilty shall be disciplined, including fined, suspension or expulsion in accordance with the provisions of the Labor-Management Reporting Act of 1959 and the International Constitution.

ARTICLE 14

Vacations

If a member passes away and has any vacation weeks during prime summer weeks (Memorial Day through Labor Day), Thanksgiving week or Christmas week shall go up for a wall bid. The same wall bid work rules for members who retire shall apply.

BY-LAW COMMITTEE

CHAIRPERSON-
SECRETARY-
COMMITTEE-

ARTHUR VERDON
PAUL SMISEK
MARTY BLEKA
TOM DEXTER
STEVE DORSEY
AL MANDEL
DON MARKS
HARRY MASKELL
GAETANO PUGLIESE
BILL QUICK
PETE WAGNER