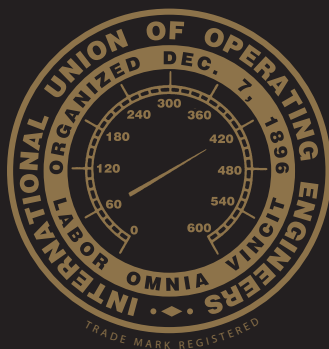


BY-LAWS INTERNATIONAL UNION OF OPERATING ENGINEERS



LOCAL 150 AND BRANCH SUBDIVISIONS

Revised 1-1-2019

OFFICERS

James M. Sweeney President-Business Manager
Michael R. Kresge Vice President
Steven M. Cisco Rec.- Corr. Secretary
David A. Fagan Financial Secretary
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BY-LAW PREAMBLE

In our Local Union's continuing effort to operate in the best interests of all members and the most efficient and democratic manner possible, our Local Union membership recently adopted several amendments to our By-Laws. We are now providing to all members a copy of the Local Union By-Laws as amended, which were approved by our International Union, on January 27, 2016*.

As President-Business Manager, I urge every member to take a few minutes time to read these amended By-Laws. The democratic traditions of our Local Union can best be maintained in an atmosphere where each and every member is aware of the rights and responsibilities which he or she has to our Local Union. With these amended By-Laws now in place, I firmly believe that the Local Union can move boldly forward into the future.

JAMES M. SWEENEY
President-Business Manager

*The 2018 General Convention of the International Union of Operating Engineers adopted various Amendments to the International Constitution. All IUOE Local Unions are **mandated** to incorporate these Amendments into their By-Laws. These revisions are therefore not subject to ratification by the membership of Local 150.

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PREFACE

ORDER OF BUSINESS

(District Meetings)

1. Meeting called to order per ritual.
2. (A) Minutes of previous meeting.
(B) Minutes of the Executive Board.
3. Reading by the President-Business Manager:
receipts for per capita tax and other monies sent to
the General Secretary-Treasurer.
4. Reports of sickness, accident and death of mem-
bers.
5. Reports of:
(A) Business Representatives.
(B) Officers.
6. Unfinished business.
7. New business.
8. Subjects for the good of the organization.
9. Motion or order for adjournment.

It shall be a duty of a member to become familiar with these By-Laws, the International Constitution and the Working Rules in the specific contract under which he is working.

ORDER OF BUSINESS

(Semi-Annual Meeting)

1. Meeting called to order per ritual.
2. Roll call of Officers.
3. Semi-annual report of Trustees and Auditors.
4. Minutes of previous semi-annual meeting.
5. General report of the Executive Board.
6. Unfinished business.
7. New business.
8. Subjects for good of the organization.
9. Adjournment.

**CONSTITUTIONAL OFFICERS
of the
INTERNATIONAL UNION OF
OPERATING ENGINEERS LOCAL
UNION NO. 150**



President-Business Manager:

Vice President:

Recording-Corresponding Secretary:

Financial Secretary:

Treasurer:

Trustees:

BY-LAWS
INTERNATIONAL
UNION OF
OPERATING ENGINEERS
LOCAL 150
and
Branch Subdivisions

ARTICLE I

Name

Section 1. Designation - This Union shall be known as the International Union of Operating Engineers, Local 150, 150A, 150B, 150C, 150D, 150E, 150G, 150M, 150O and 150 R.A. (Registered Apprentice Engineers) and such other subdivisions as may be chartered by the International Union.

Section 2. Governing Laws - This Local Union shall be governed by these By-Laws and the Constitution of the International Union together with such other rulings and determinations as may be made from time to time by those authorized to make same pursuant to these By-Laws and the said International Union Constitution.

Section 3. Headquarters - The Headquarters of this organization shall be located in Cook County, Illinois. Sub-offices may be established at other locations from time to time designated based upon the needs of the organization and special local conditions. Such sub-offices shall be within the territorial jurisdiction of the organization.

ARTICLE II

Declaration of Principles

We, the members of Operating Engineers, Local Union 150, in order to solidify and perfect a more useful and beneficial Union, to strengthen our security and promote the welfare of our membership, have adopted the following principles and hereby resolve:

Section 1. Declaration of Principles - To organize all persons working under our craft jurisdiction regardless of religion, race, creed, color, sex, age or national origin to protect and preserve the Union as an institution and to perform its legal and contractual obligations.

Section 2. To secure improved wages, hours, working conditions and other economic benefits through organization, negotiations and collective bargaining, legislation, education, political participation, and other lawful methods;

Section 3. To encourage educational advancement and training for members, Officers and employees so that we may fully participate in cultural, civic, political, fraternal, educational, welfare, social and other activities which further the interest of this organization and its membership directly and indirectly;

Section 4. To insure that all rights, privileges and services of this Union are shared by all members equally so long as they remain in good standing with the Local Union and conform to the International Constitution, Local 150's By-Laws and Local 150's Collective Bargaining Agreements, and to insure the rights of every member to receive just and fair remuneration for their services so they may have sufficient time for mental and physical relaxation;

Section 5. To more closely cement the interests, objectives and relationships of the Operating Engineers,

Local 150 and the International Union of Operating Engineers, and to provide moral, financial or other assistance to other Labor Organizations or bodies having purposes and objectives in whole or in part similarly related to those of this organization;

Section 6. To try by all just means to promote harmonious relations with our employers, by exercising our utmost skills, due care and extreme diligence in the performance of our duties; and to advocate technological, scientific and legislative advancement in the industries where our members are employed;

Section 7. To strengthen industrial safety, health and welfare plans, unemployment insurance, social security, pensions, a Credit Union, and other types of social welfare plans so that our members and their families may lead a more healthy and prosperous life;

Section 8. To manage the financial affairs of this Union so that the receipts, investments, property and other assets of this Union are used or otherwise expended to carry out the duties and to achieve the objectives set forth in these By-Laws and the International Constitution, and for such additional purposes and objectives consistent therewith as will further the interests of this Union and its members, directly or indirectly;

Section 9. To support, strengthen and give leadership to the economic, social and traditional objectives of this Union, the International Union of Operating Engineers, and organized labor in general, bearing ever in mind the rich heritage handed down to us by our predecessors being paid for by them with self-denial, diligent adherence to Union traditions, even loss of life and limb, and our solemn duty to seek new dynamic objectives to pass on to those who follow us. In the pursuit and attainment of the objectives set forth herein and to

promote in the best interest of our members, we are determined to use every lawful method at our command. Thus, we have adopted the following By-Laws.

ARTICLE III

Jurisdiction

Section 1. Territorial Jurisdiction - The territorial jurisdiction shall be that jurisdiction granted by the International Union of Operating Engineers, inscribed on the charter, issued and/or amended by the International Union of Operating Engineers, in accordance with the provisions of the International Constitution.

Section 2. Territorial Jurisdiction Description - The territorial jurisdiction of this organization shall encompass the following:

In Illinois: The counties of Boone, Carroll, Cook, DuPage, DeKalb, Grundy, Jo Daviess, Kane, Kankakee, Kendall, Lake, LaSalle, Lee, Livingston, Mercer, McHenry, Ogle, Rock Island, Stephenson, Whiteside, Will and Winnebago: in Bureau County, Highway 26 running from North Line of Bureau County to town or village of Bureau, Illinois, and the portion lying east and north of this line; in Putnam County that portion lying east of the Illinois River; and in the west half of Henry County. Local Union 150 and Local Union 649 shall share jurisdiction over all floating equipment on that section of the Illinois River which divides the territorial jurisdiction of those local unions.

In Indiana: The counties of Elkhart, Fulton, Jasper, Kosciusko, LaGrange, Lake, LaPorte, Marshall, Newton, Noble, Porter, Pulaski, Saint Joseph and Starke.

In Iowa: The counties of Cedar, Clinton, Des Moines, Lee, Louisa, Muscatine and Scott. The territorial jurisdiction is reflected on the map appearing on the center-fold pages of this book.

The multistate jurisdiction over railroad construction granted Local 150 by the IUOE.

Section 3. Craft Jurisdiction - The craft jurisdiction shall be as defined by the Constitution of the International Union of Operating Engineers.

ARTICLE IV

Districts

Section 1. Adoption and Division - For efficiency of operation and in order to more fully serve the members of this organization, the District Administration form of government as provided for in the International Constitution is hereby adopted and the territorial jurisdiction shall be divided into eight (8) districts identified as follows:

District 1 - Countryside

District 2 - Joliet

District 3 - Lakemoor

District 4 - Rockford

District 5 - Utica

District 6 - Lakeville

District 7 - Merrillville

District 8 - Rock Island

Section 2. Boundary Lines - The exact boundary lines of the various districts have been established and are on file in the headquarters of the organization. Based upon special need and circumstances and to conform to specific local conditions, such boundary lines may from time to time be changed and re-designated.

Section 3. Authority of Districts - The Districts shall not be autonomous in any sense. They shall, however, have the right to make recommendations to the Local Union; initiate legislation to the Local Union; nominate representatives to the Local Union Executive Board,

Committees and similar bodies, as may be provided within these By-Laws; and ratify changes in dues, initiation fees and assessments as provided herein.

Section 4. Meetings - Regular district meetings shall be presided over by the President-Business Manager or his designated representative.

Section 5. District Affiliation:

- (A) Affiliation By District Residents - Members shall be affiliated with the district in which they reside.
- (B) Affiliation by Non-Residents - Members who do not reside within the geographical boundaries of the Union shall have their district affiliation determined on the basis of the following:
 - 1. Members who previously resided within the geographical boundaries of the Union shall continue their district affiliation based upon their last residence within the geographic jurisdiction of the Union.
 - 2. Members who have never resided within the geographical boundaries of the Union shall be affiliated with the district in which the member has been primarily employed.

ARTICLE V

Branch Subdivisions

Section 1. Subdivisions - Local 150 shall include branch subdivisions in the classifications as follows:

LOCAL 150 A
LOCAL 150 B
LOCAL 150 C
LOCAL 150 D

LOCAL 150 E

LOCAL 150 G

LOCAL 150 M

LOCAL 150 O

LOCAL 150 RA - Registered Apprentice Engineer

All persons who are indentured as Registered Apprentice Engineers pursuant to their enrollment and participation in a training program to become masters of the craft approved by the Local Union.

All subdivisions shall function under the direction and control of Local 150. No subdivision shall be deemed autonomous in any sense, nor shall it have any independent authority.

Section 2. Government of Subdivisions - The government of apprentice and branch subdivisions shall be in accordance with the provisions of Article XIV of the International Constitution.

ARTICLE VI

Membership in Local 150 and Subdivisions

Section 1. Qualification for Membership in Branch Subdivisions - To qualify for membership in a Branch Subdivision, an individual must:

- (a) be of good moral character;
- (b) desire to engage in the work over which Local 150 exercises craft jurisdiction;
- (c) complete the necessary application forms and meet the appropriate financial obligations;
- (d) pass and satisfactorily complete the entrance and qualifying examinations or tests;

- (e) not be a member of any organization having as its aim the overthrow by force and violence of the Constitution or Government of the United States;
- (f) relinquish membership in any organization, the interests of which are inimical to those of Local 150, and
- (g) be accepted for membership by the Executive Board of Local Union 150. The acquisition of membership shall not be a matter of right and the decision of the Executive Board as to final acceptance or rejection of an applicant shall be binding and conclusive provided that Executive Board approval is not necessary for individuals who obtain membership through organizing.

Section 2. Qualification for Membership in Local 150 - To qualify for membership in Local 150, a person must meet the same qualifications, set down for admission into a subdivision and, in addition, be qualified to perform the journeymen functions of the craft.

Section 3. Application for Membership - Every application for membership in Local 150 shall be made upon an official printed form and delivered to the President-Business Manager of Local 150 or his authorized designee at the office of the Local during its regular business hours. Applications for membership shall be referred to a committee appointed by the President-Business Manager which shall consist of members of the Local Union Executive Board, which committee shall investigate the character and qualification of the applicants, and shall make a determination as to the qualifications of the applicant for membership in the Local Union. This determination shall be made on the basis of uniform standards, and shall not be discriminatory in any manner and shall be in accordance with all applicable law. The applicant, if approved, shall be so notified and his name and address shall be placed on the record and he

shall be furnished a copy of the Constitution and the Local Union By-Laws and his membership card. If an applicant is rejected, his initiation fee shall be returned to him. A rejected applicant may reapply for membership after a lapse of ninety (90) days following his rejection.

Section 4. Tender of Initiation Fees - Except in cases of application for admission into membership of Local 150 C, where the entire initiation fee shall be tendered, one-half (½) of the initiation fee shall be paid at the time of the delivery by the applicant of the application, and the balance shall be paid within sixty (60) days thereafter. Monies paid shall not be refunded unless the application for membership is rejected, and in such instance that portion of the initiation fee allocated for examining fee purposes shall not be refunded, but shall be retained by the Local Union. The Executive Board, upon good cause shown, may extend the time for the payment of initiation fees and/or reduce the percentage of the initiation fee to no less than five (5) dollars payable with the submission of the application. In this connection, the Executive Board may develop any reasonable amortization program. Failure of an applicant to promptly meet payments pursuant to an amortization program resulting from an extension of time shall result in forfeiture of all amounts paid in.

Section 4A. Applicant Service Dues - In lieu of requiring tender of initiation fees as set forth in Section 4 above, the Executive Board may, at its discretion, require applicants to pay Applicant Service Dues. Such Applicant Service Dues will be the weekly equivalent of the amount of regular dues paid by members of Local 150.

Section 5. Initiation - No person shall be deemed admitted to membership in this Local Union until he has met the requirements set forth in this Article. No person shall be initiated or accepted to membership until he has paid all amounts due on the initiation fee and accepted the obligation of membership.

Section 6. Transfer Within Local - Transfers from branch subdivisions to branch subdivision shall be made upon approval of the Executive Board, the completion of an Application for Transfer and the payment of the required amounts. Transfers from a branch subdivision into Local 150 may be made upon meeting the aforesaid qualifications; provided, however, that a transfer shall not be accepted unless the individual applicant has completed at least a total of three (3) years of membership in a branch subdivision or subdivisions. The Executive Board may require the applicant for a transfer to demonstrate his skill, ability and qualifications by either written or practical examination, or both, and the decision of the Executive Board as regards the acceptance or rejection of the Transfer Application shall be conclusive, subject to appeal directly to the General President. At the time the application for transfer is made and the applicant is rejected, the amounts paid by the applicant for transfer shall be refunded to him with the exception of the Examining Fee charge, which amount shall be retained by the Local Union.

Section 7. Transfer from Other Locals - Applications from other Local Unions of the International Union into Local 150 or 150 A, B, C, D, E, G, M or O shall be passed upon by the Executive Board, and the acceptance or rejection shall be entirely within the discretion of the Executive Board. Applicants desiring a transfer shall be required to meet the eligibility requirements and qualify in the same fashion as anyone else desiring membership in Local 150 or any of its branch subdivisions. An applicant for membership under this Section shall tender with his application an amount equivalent to the difference in the total initiation fee paid into the Local Union of the International Union in which he holds membership and the amount required for admission into Local 150 or any of the branch subdivisions as the case may be.

ARTICLE VII

Dues and Initiation Fees

Section 1. Initiation Fees - The amount of initiation fees for direct entrance into Local Union 150 and its subdivisions (subject to change in accordance with these By-Laws) shall be as follows:

Branch	**Initiation Fee	6 Months Dues/Monthly	Total
150	\$562.50	\$264.00/44.00	\$826.50
150 O/O	562.50	1,465.20/244.20	2,027.70
150 A	155.00	258.00/43.00	413.00
150 RA	218.75	258.00/43.00	476.75
150 RA O/O	218.75	1,465.20/244.20	1,683.95
150 C	312.50	246.00/41.00	558.50
150 C O/O	312.50	1,465.20/244.20	1,777.70
150 D	81.25	186.00/31.00	283.50
150 D O/O	81.25	1,465.20/244.20	1,646.45
150 E	100.00	141.00/23.50	241.00
150 G, O	30.00	153.00/25.50	183.00
150 M	30.00	123.00/20.50	153.00
150 M O/O	30.00	1,465.20/244.20	1,495.20

**The Initiation Fee includes a 25% fee paid to the International Union of Operating Engineers.

Section 2A. Monthly Dues Amount - The dues of Local 150 and its subdivisions (subject to change in accordance with these By-Laws) shall be as follows:

1. Local 150 and Local 150B - The monthly dues of Local 150 and Local 150B shall be in an amount equal to two hours per month of the Group III hourly wage rate in the Heavy and Highway Agreement (Cook and DuPage Counties) in effect on January 1, of each year, rounded to the nearest half dollar;
2. Local 150A and Local 150RA - The monthly dues of Local 150A and 150RA shall be the

- amount of dues specified in subparagraph 1 above minus one dollar per month;
3. Local 150C - The monthly dues of Local 150C shall be the amount specified in subparagraph 1 above minus three dollars per month;
 4. Local 150D - The monthly dues of Local 150D shall be the amount specified in subparagraph 1 above minus thirteen dollars per month;
 5. Local 150E - The monthly dues of Local 150E shall be the amount specified in subparagraph 1 minus twenty dollars and fifty cents per month;
 6. Local 150G and Local 150O - The monthly dues of Local 150G and Local 150O shall be the amount specified in subparagraph 1 above minus eighteen dollars and fifty cents per month;
 7. Local 150M - The monthly dues of Local 150M shall be the amount specified in subparagraph 1 above minus twenty-three dollars and fifty cents per month.

Section 2B. Bases of Dues

- (1) The Executive Board, based on financial requirements, may in its discretion annually, by majority vote, defer a dues increase.
- (2) Payable Quarterly - Monthly dues shall be paid on a quarterly basis and shall become due and payable on January 1, April 1, July 1, and October 1, of each year. In accordance with the provisions of the International Constitution, no member shall be in good standing unless he has paid all current dues to the Local within 30 days after they have become due and payable.

- (3) Per Capita Increases - In accordance with the International Constitution, quarterly dues shall be increased in an amount equal to any increase in the per capita tax payable to the International Union.
- (4) Retired Members Dues - Effective July 1, 1985 retired members shall pay monthly dues equal to 20% of the amount payable by active members of Local 150, rounded to the nearest half dollar.

Section 2C. Administrative Dues - Effective June 1, 2015, there shall be charged to and collected from all members of Local 150, its branches, administrative dues in a sum equal to three percent (3.0%) of gross wages which a member receives under the terms of a collective bargaining agreement, which shall be deducted by the employer and paid to the proper authority in Local 150 through the Fringe Benefit Fund Office. In the event a member shall be working under a collective bargaining agreement which does not permit said deduction, then said deduction shall commence as soon as the collective bargaining agreement can be renegotiated so as to permit the deduction.

Any member who fails to sign administrative dues assessment checkoff authorization in the form provided by the Local Union shall be required to pay his administrative dues assessment by cash or certified check by the 10th day of the month following the month of the administrative dues assessment to the proper authority in Local 150 through the Fringe Benefit Office.

Section 2D. Owner/Operator Dues - Effective July 1, 2011, there shall be charged to and collected from all members of Local 150 holding the status of owner/operator or salaried employees the sum of \$244.20 per month, which shall be remitted by the

owner/operator or salaried employees and paid to the proper authority in Local 150. The aforesaid charge of \$244.20 per month shall be in lieu of administrative dues as specified in Section 2(B) above and inclusive of all sums required to be paid as monthly dues as specified in Section 2(A) above.

Section 3. Change in Dues or Initiation Fees - The dues and initiation fees of this Local Union shall be determined or changed in the following manner:

- (a) All dues and initiation fees shall be determined by the Executive Board and ratified by the membership except as otherwise provided in these By-Laws.
- (b) Upon approval of a majority of the Executive Board of a proposed change in the initiation fees and/or dues of the Local Union, the proposition shall be ratified by a majority of the membership in good standing voting at all the District meetings or at a regular or special general membership meeting of the Local at which the matter is submitted. Such voting shall be conducted by secret ballot.
- (c) No change in the dues or initiation fee structure shall be submitted for a vote at a District or regular or special General Membership meeting unless notice of submission of such proposition to the membership at such meeting is mailed to all members in good standing at least fifteen (15) days prior to the scheduled meeting date.
- (d) The Executive Board may at its discretion submit any change in dues or initiation fees for ratification, by a referendum vote of the membership in good standing conducted by secret ballot, wherein no special notice need be given.

- (e) The procedures set forth in subsections (a), (b), (c) and (d) of this Section shall be applicable in respect to all special or general assessments, levied by the Local Union.

Section 4. Travel Service Dues - Travel Service Dues shall be charged and service dues receipts shall be issued in accordance with the provisions of the International Constitution. The amount of Travel Service Dues shall be the weekly equivalent of the amount of dues paid by members of Local 150.

ARTICLE VIII

Meetings

Section 1. Regular Meetings - Districts - Meetings shall be held in each district monthly, except in the months when a General Membership meeting is held, in which event district meetings shall not be held unless otherwise provided herein. The Executive Board may dispense with the holding of monthly meetings during a vacation period.

Section 2. Special Meetings - Districts - Special District meetings may be called by the President-Business Manager or by a majority of the following Officers: Vice President, Recording-Corresponding Secretary, Financial Secretary and Treasurer. Special District membership meetings may also be called upon written request of one-third of the members of the Local Union in good standing who are affiliated with that District. Such a written request shall state the object of the proposed meeting. In the event a special District membership meeting is called, every member in good standing who is affiliated with the District shall receive at least 72 hours advance notice in writing of the date, time and place of such meeting and the business to be transacted. No business shall be transacted at a special District

membership meeting other than that specified in the notice of the meeting.

Section 3. Regular Meetings - General Membership. There shall be two (2) regular meetings of Local Union 150 held on the last Friday of the months of January and July of each year in Cook County, Illinois. The Executive Board, at its discretion will set the time and may designate a different month or months for valid reasons. Written notification of the time, date and location of each meeting shall be printed in the Local 150 Engineer and sent to each member in good standing of Local 150 and the branch subdivisions thereof at least ten (10) days prior to the holding of the meeting.

Section 4. Special Meetings - General Membership - Special General Membership meetings may be called by the President-Business Manager or by a majority of the following Officers: Vice President, Recording-Corresponding Secretary, Financial Secretary and Treasurer. Special General Membership meetings may also be called upon written request of one-third of the members of the Local Union in good standing. Such written request shall state the object of the proposed meeting. In the event a special membership meeting is called, every member in good standing of the Local Union shall receive at least 72 hours advance notice in writing of the date, time and place of such meeting and the business to be transacted. No business shall be transacted at a special General Membership meeting other than that specified in the notice of the meeting.

Section 5. Meetings of Specific Groups of Members - The President-Business Manager may in person or through his deputy call a special meeting of the members of the Local Union covered by a particular collective bargaining agreement or other agreement with an individual employer or association for the purpose of considering wages, rates of pay, hours of labor and other

conditions of employment affecting those particular members and all other members may be excluded from such meeting. Such meetings may be called for the purpose of taking a vote to accept or reject any individual employer or association collective bargaining agreement or other agreement affecting their employment.

Section 6. Quorum - A quorum at any District meeting, regular or special General Membership meeting shall be as follows:

A quorum for the transaction of business at any District meeting or regular or General Membership meeting of the Local Union shall consist of not less than seven (7) members in good standing.

Section 7. Rules of Order - All meetings and assemblies of the General Membership, whether they be special or general, or held as a body of the Local or in Districts, and all Committee and Sub-Committee meetings of this organization shall be governed and regulated in accordance with the Rules of Order for the Conduct of Meetings, as contained in Appendix 1, which appears at the end of these By-Laws, and which by express reference is made a part of these By-Laws. In the event a question arises which is not covered by said Rules of Order, then Robert's Rules of Order, Revised, shall control except where such Rules are contrary to those expressly stated in these By-Laws or in the Constitution of the International Union, or in any order, directive or interpretation issued by the person or body authorized to issue same, in accordance with these By-Laws. No individual members' electronic recording or sound amplification devices of any kind shall be permitted to be brought into nor used in any meetings provided in this Article VIII or at any session of the Executive Board or District Advisory Board.

Section 8. Matters Submitted in Advance - Matters of any unusual or serious nature or those affecting the entire membership of this organization must be submitted to the Executive Board prior to the introduction at any meeting of this organization. The Executive Board shall in its discretion determine whether such matter or matters shall be voted upon at a General Membership meeting of the entire organization, a special membership meeting of the entire organization, a general or special membership meeting of the District involved, or a general or special membership meeting in each of the Districts, or by mail referendum.

ARTICLE IX

Rights, Responsibilities and Obligations of Each Member

Section 1. Membership in Good Standing - A member shall be deemed a member in good standing and shall be entitled to the rights herein accorded to members in good standing provided that:

- (a) he has paid all current dues to the Local Union as evidenced by his dues card;
- (b) he is not transferred or withdrawn from the Local; and
- (c) he has not been suspended or expelled from the Local.

Section 2. Suspension and Expulsion - A member may be suspended or expelled pursuant to the charge and trial procedures set forth in the International Constitution and these By-Laws, or if delinquent in the payment of dues in accordance with the International Constitution.

Section 3. Fines and Assessments - All fines and assessments legally levied or imposed shall be charged

and become due pursuant to the provisions of the International Constitution.

Section 4. Honorable Withdrawal - Any member in good standing who is not under charges and who desires to withdraw from Local 150 or any subdivision, and has been in good standing for at least one (1) year prior to making application for an honorable withdrawal card, may make application for same. The fee for a withdrawal card shall be Five (\$5.00) Dollars. Application shall be made in writing to the Executive Board with the reasons stated therefore. Honorable withdrawals may be granted at the discretion of the Executive Board. Any member who has been granted an honorable withdrawal card shall forfeit all rights of a member in good standing and all rights and claims to any benefits of the Local, except:

- (a) the right to apply for reinstatement. In the event application for reinstatement is made within a period of time less than thirteen (13) months dated from the month in which the withdrawal card was granted, the withdrawn member shall pay before being reinstated, all dues and assessments accruing during the period of withdrawal plus Ten (\$10.00) Dollars or such amount as fixed by the General Executive Board. In the event application for reinstatement is made more than one (1) year from the date of the granting of the honorable withdrawal, the withdrawn member shall pay, before being reinstated, an assessment of Ten (\$10.00) Dollars, or such amount as fixed by the General Executive Board and a similar amount for each successive year or part thereof, provided no total payment so required shall exceed the amount of current initiation fees in this Local Union. Members who enter said

Local Union during the thirteenth (13th) month following the month in which the withdrawal card was issued, shall be considered as having been on withdrawal for exactly one (1) year. Reinstatements after withdrawal for a period in excess of thirteen (13) months shall be granted solely at the discretion of the Executive Board, except in the case of members entering the Armed Forces of the United States, in which instance application for reinstatement must be made within ninety (90) days of the date of the discharge of such withdrawn member from such Armed Forces.

Section 5. Equal Rights and Privileges - All members in good standing shall have the following equal rights within this organization, subject to these By-Laws, the International Constitution and any other rules and regulations, from time to time made, by the person or by appropriate body authorized to make same pursuant to these By-Laws and the International Constitution.

- (a) to vote in all elections or referendums;
- (b) to attend all membership meetings, to be heard in an orderly fashion, participate in the deliberations and vote upon the business of such meetings at such meetings, subject to the Rules pertaining to the conduct at such meetings, to express their views upon candidates in an election for office in this organization, or any business properly before the meeting, at such meeting, all subject to the Rules pertaining to the conduct of such meetings;
- (c) to participate in all committee work pursuant to appointment or election as provided herein;
- (d) to participate in all group membership benefits;

- (e) if eligible to hold office under these By-Laws and the International Constitution to hold office if duly elected to same, provided, however, that the candidate shall be required to meet such qualifications as stated in these By-Laws and the International Constitution;
- (f) upon request made to the Recording-Corresponding Secretary of this organization, to secure a copy of any collective bargaining agreement which directly affects the rights of such member as an employee of an employer;
- (g) upon reasonable request made to the Financial Secretary of this organization, and for just cause stated in such request, to examine the books, records and accounts of the organization during the regular business hours and in the offices of the organization, provided, however, that such examination shall be requested and conducted in good faith, and
- (h) to enjoy any other right or privilege granted to members in good standing by these By-Laws or act of the Executive Board, or by the general membership, except as limited herein or limited by the International Constitution.

Section 6. General Responsibilities and Obligations - Every member of this Local Union shall have the following responsibilities and obligations and, in consideration of the benefits of membership, agrees as follows:

- (a) that he will not violate the International Constitution, these By-Laws and any other laws, rules, the obligation or ritual and the decisions, rulings, orders and directions of the International Union, this organization, the Executive Board of each, any Officer of this

- organization, and the trade rules in the locality in which the member works;
- (b) that he will not violate any working rules or any collective bargaining agreement;
 - (c) that he will not abuse any Officer or representative, foster secession or dissension among the membership or conduct himself in a manner unbecoming a member of this organization, or in a fashion detrimental to its good and the welfare of its membership;
 - (d) that he will refrain from any conduct that would interfere with the performance by this Local Union of its legal or contractual obligations;
 - (e) that he will not interfere with the elected Officers or business representatives in the performance of their legally constituted duties;
 - (f) that he will adhere to and endeavor to enforce the laws, decision and rulings of the Officers and representatives of this Local, its Executive Board and the general membership;
 - (g) that he will not enter into the employment of any person conditioning his employment or the retention thereof upon the severance of his membership in this organization;
 - (h) that he shall acquire, read, have knowledge of and abide by the Constitution of the International Union and the By-Laws of this Local; and
 - (i) that each member shall attempt to actively participate in the affairs of this organization and to attend as many membership meetings as possible.

Section 7. Specific Prohibited Acts - In accordance with the provisions of Section 6 of this Article, no member shall commit any of the following acts:

- (a) Fail to observe and follow customary procedures and regulations concerning assignment of work, transfer of work, or reporting on out-of-work list.
- (b) Leave the job without giving due notification to the Employer and the Union.
- (c) Leave equipment while in operation during working hours without being properly relieved.
- (d) Refuse to show membership card or dues receipts when requested to do so by the Business Representative or Job Steward or any member.
- (e) Refuse to comply with lawful orders of Business Representatives or Officers of the Local Union.
- (f) Failure to report to the Local Union concerning the employment on jobs of non-members or members not in good standing.
- (g) Misrepresent his qualifications and ability to perform a job.
- (h) Aid a Foreman or Employer in using unfair methods in dealing with other Union members.
- (i) Work on a job where a strike is called or refuse to come off when notified by the authorized Business Representative or Officers of the Local Union.
- (j) Members shall not espouse dual unionism or disaffiliation in the course of any meetings; shall not wilfully engage in slander or libel where such slander or libel is contrary to the responsibility of every member toward the organization as an institution or specifically

interferes with the organization's performance of its legal or contractual obligations in accordance with the International Union of Operating Engineer's Constitution; shall not be a party to any activity to secure the disestablishment of the Local Union as the collective bargaining agent for any employee or to interfere with its organizing efforts. No member shall be permitted to any assembly or meeting to engage in any of the conduct heretofore described.

- (k) No member of this Union shall knowingly and willingly infringe upon the craft work of another craft union.
- (l) No member of this Local Union shall take the place of another member who has been unjustly discharged without the express permission of an Officer or Business Agent of this Local.

Members found guilty of any of the foregoing duties will be subject to discipline in accordance with the applicable procedures of the International Constitution and these By-Laws.

ARTICLE X

Officers

Section 1. Officers - Constitutional Officers of this Local Union shall be: President-Business Manager, Vice President, Recording- Corresponding Secretary, Financial Secretary, Treasurer, three (3) Trustees; and in addition to the constitutional Officers there shall be three (3) Auditors, a Conductor and a Guard. The offices of the Financial Secretary and the Treasurer shall not be held by the same person.

Section 2. Term of Office - The term of all offices shall be for a period of three (3) years. The term of each elec-

tive office shall begin on September 1st, unless otherwise directed by the General President and shall continue for three (3) years or until the installation of a successor, the Officer's resignation, or his removal by impeachment.

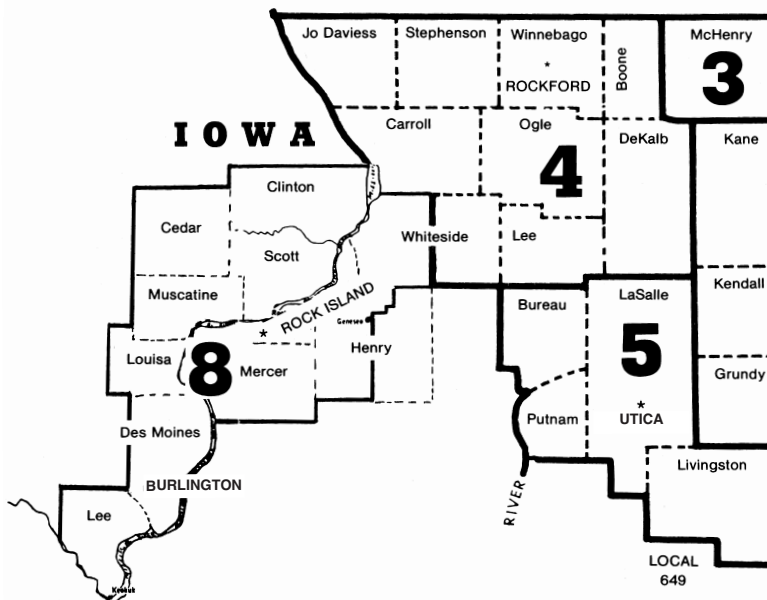
Section 3. Qualifications - A member shall not be eligible for nomination, election, be elected or hold the office of President-Business Manager unless he shall have been continuously in good standing for a period of not less than two (2) years preceding the month of nominations, in addition to fulfilling all other requirements of these By-Laws and the International Constitution. A member shall not be eligible for nomination, election, be elected or hold the office of Vice President, Financial Secretary, Recording-Corresponding Secretary, Treasurer, District Executive Board Member, Trustee, Auditor, Conductor or Guard, unless he shall have been a member of the Local Union in continuous good standing for not less than one (1) year preceding the month of nominations in addition to fulfilling all other requirements of these By-Laws and the International Constitution. No candidate shall be eligible for election, be elected or hold office unless he shall have been in regular attendance at all regularly scheduled Local Union membership meetings and home District meetings held after the nomination and before election, subject however, to a reasonable excuse, based upon good cause, such as physical incapacity, death in the family.

Section 4. Qualifications - Non-Supervisory - A member, to be eligible to hold an elective office in the Local Union, in addition to the qualifications heretofore stated for being nominated, shall not have the power to employ or discharge or effectively recommend such action as regards a company directly connected with the craft jurisdiction of the Local Union, nor shall such individual customarily exercise the functions exercised

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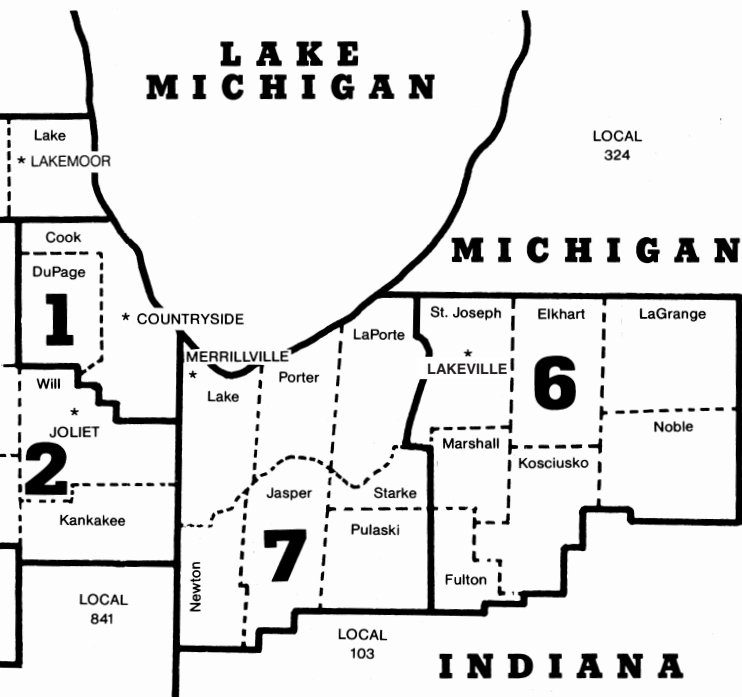
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* DISTRICT OFFICE

DICTION OF LOCAL 150



by supervisors within the meaning of the National Labor Relations Act, as amended, for such company. This section shall in no way be interpreted as applying to the work classifications of Master Mechanic or Craft Foreman.

Section 5. Vacancies - Vacancy in any office shall be filled by appointment for the unexpired terms thereof, upon vote of a majority of the foregoing Officers, viz: President-Business Manager, Vice President, Recording-Corresponding Secretary, Financial Secretary and Treasurer. In the event the said Officers shall fail to fill said vacancy within thirty (30) days after the same shall occur, then said office shall be filled by secret ballot vote of the majority of the membership in good standing present at a special General Membership meeting which will be called within 30 days from the time the Officers fail to fill the vacancy and in no event more than 60 days after the vacancy occurs. The office of any Officer who shall fail to discharge the duties of his office for four (4) successive regular General Membership meetings of the Local Union may be declared vacant by a majority vote of the membership in good standing. Any Officer or representative of the Local Union may be removed after due trial for causes provided in the International Constitution upon an affirmative vote of three-fourths ($\frac{3}{4}$) of the membership in good standing in the same manner and form provided for the trial of members in these By-Laws.

Section 6. Recall of Officers or Executive Board Members - Recall of any Officer or Executive Board member of this Local Union shall be in accordance with the provisions of the International Constitution.

ARTICLE XI

Duties of Officers

Section 1. Duties of the President-Business Manager - It shall be the duty of the President-Business Manager to direct and conduct all of the business and affairs of this Local Union and its subdivisions; to secure and achieve the objects, purposes and principles of said Local Union in accordance with the best interests of the membership; to direct the negotiation of all agreements with Employers and to enforce such agreements fully through his staff; to appoint all Business Representatives and other employees who shall be directly responsible to him, set salaries and have full power to lay off or terminate the employment of such employees; to employ such legal counsel, Certified Public Accountants, and other technical personnel as he may deem necessary or advisable; to appoint or remove delegates to various organizations to which the Local Union is entitled to send delegates, unless otherwise prohibited by law and/or the International Constitution; to appoint trustees of all trusts, which trust agreement authorizes the Local Union to name or appoint trustees; to initiate legal or administrative proceedings, actions or suits and to defend the Local Union, its officials, Local Union Executive Board and its members, Advisory Board and its members, Job Stewards, Business Representatives and employees, in any legal or administrative proceedings, actions or suits in which his judgment may be necessary and proper to protect, preserve, secure or advance the principles and purposes of this Local Union; to compromise and settle any legal or administrative proceedings, actions or suits hereinabove referred to, including the payment of funds as part of such compromise, judgment or decree; to attend all regular semi-annual meetings of the Local Union

unless physically incapacitated, and such District meetings as he is able to attend; he may be a delegate to attend all conventions, including state, non-state and professional organizations to which the Local Union is entitled to send delegates and shall be a delegate to any International Convention held during his term of office; he shall be a member of all Board of Trustees on which the Local Union is entitled to representation; he shall incur such expenses as may be necessary, proper or advisable in the carrying out his duties, and shall cause all salaries and other current expenses to be paid; he shall perform all actions authorized herein, or which from time to time may be delegated to him and those normally incident to said office which he deems necessary, advisable or proper for the protection of this Local Union and for the benefit of this Local Union and its members; and he shall at all times consult with the Officers of the Local Union and members of the Local Union Executive Board when necessary or advisable; and he may in all instances act directly or through a deputy appointed by him.

Section 2. Duties Of All Officers - The duties of all Officers of this Local Union shall be in accordance with the International Constitution, and as provided herein.

ARTICLE XII

Executive Board

Section 1. Composition - The Local Union shall establish an Executive Board composed of its President-Business Manager, Vice President, Recording-Corresponding Secretary, Financial Secretary and Treasurer, and one (1) member of the Local Union from each of the established Districts, all Executive Board members to be elected in the same manner and for the same term as the Constitutional Officers.

Section 2. Nomination and Election By Districts - As provided in Section 1 of this Article, each of the established Districts shall have one (1) representative on the Executive Board who shall be nominated and elected by the members of the Local Union who are affiliated with that District in accordance with the provisions of Article IV, Section 5. No member shall be eligible for election, be elected or hold the office of District Executive Board member unless he shall have been affiliated with the District with the provisions of Article IV, Section 5 continuously for not less than one (1) year preceding the month of nominations and have been a member in good standing in the Local Union continuously for not less than one (1) year preceding the month of nominations and shall have fulfilled other requirements for election to office set forth in these By-Laws and the International Constitution.

Section 3. Powers and Duties - All of the rights and powers that may be executed by the members at a regular semi-annual meeting of the Local Union when such semi-annual meeting is in session shall, when same is not in session, pass to and be vested in the Local Union Executive Board. The Executive Board shall be the policy forming tribunal of the Local Union and each member shall be entitled to one (1) vote and all powers vested in the Executive Board when in session shall pass to and be vested in the President-Business Manager when the Executive Board is not in session. The Executive Board shall have authority to interpret the provisions of these By-Laws and shall have such other duties as provided in these By-Laws. All actions of the Local Union Executive Board shall be reviewable by the members of the Local Union at the next subsequent semi-annual membership meeting of the Local Union. In the event there is a tie vote of the Executive Board on any issue, and said deadlock is not broken at the next regularly scheduled meeting of the Executive Board, the

President-Business Manager shall refer the issue to the members of the Local Union for determination at the next subsequent semi-annual membership meeting.

Section 4. Meetings - The regularly constituted Executive Board shall meet as often as necessary and not less than ten (10) times a year or at the call of the President-Business Manager or a majority of the Officers.

Section 5. Quorum - A majority of the Executive Board members shall constitute a quorum for the regular transaction of the Executive Board business.

ARTICLE XIII

District Advisory Board

Section 1. Composition - The District Advisory Board shall consist of three (3) members, including the District Executive Board member and the District Business Representative. The third member shall be nominated and elected by the membership in the respective Districts. Such election shall be held in the month of November following the triennial election of all Officers and Executive Board as provided in Article XIV. The Chairman of the District Advisory Board shall be selected by the President-Business Manager.

Section 2. Term of Office - The Advisory Board member nominated and elected in the District shall serve for the same period of time as the Executive Board member unless removed for just cause by the Executive Board.

Section 3. Qualifications for Office - in order to be eligible for nomination and election to the District Advisory Board, a member shall have the following qualifications: (a) he shall be a member in good standing of the Local Union, who for a period of at least one year immediately prior to the month of nomination has been actively employed at the trade or available for

employment under the Local Union's Hiring Addendum; (b) he shall have been a member of the Local Union for not less than one (1) year preceding his nomination; (c) he shall not be an owner operator, supervisor or contractor; (d) he shall not hold any elective office or full time position with the Local Union; (e) he shall reside within the particular District in which he is elected to serve, and (f) he shall be present at the District meeting at which nominations are held.

Section 4. Powers and Duties - The Advisory Board shall examine all applicants as to their practical qualifications for membership if so requested by the Executive Board, and shall have such powers and duties which are specifically delegated to such Board by the Local Union Executive Board; provided, however, that the Advisory Board shall in no way interfere with or restrain the District Business Representative in the performance of his duties and shall be only a Board established as an Advisory Committee to further the cause of organized labor, the object, purposes and principles of this Local Union within its various Districts and shall not have the authority to supersede or nullify any action of the Local Union Executive Board or elected Officers.

ARTICLE XIV

Petitions, Nominations, Election and Installation

Section 1. Triennial Election - All constitutional Officers, Auditors, Trustees, Conductor, Guard and Executive Board members shall be elected every three (3) years commencing with the calendar year 1962, as hereinafter provided, and shall hold office for a three (3) year term ending on August 31 of the third year.

Section 2. Nominating Petitions for Constitutional Officers, Auditors, Trustees, Conductor, Guard and

Executive Board Members - To be eligible for nomination to be a candidate for the above offices of this Local Union, a member in good standing on a nominating petition provided by the Election Commissioners must secure the signatures of no fewer than two hundred (200) other members in good standing or two percent (2%) of the entire membership of the Local Union, or the District, as the case may be, whichever is less. Nominating petitions will be made available by the Election Commissioners on April 1 preceding the election and must be returned on or before the District Meeting at which the candidate is nominated. Completed petitions shall be filed in person or by mailing same by registered or certified mail, return receipt requested, addressed to the Recording-Corresponding Secretary at his office at the Local Union headquarters. Any protest relating to nominating petitions shall be made in accordance with Section 13 of this Article.

Section 3. Acceptance of Nomination - To be eligible for election to office, a member in good standing must file a written acceptance of his nomination to office with the Recording-Corresponding Secretary, which acceptance must be received by the Recording-Corresponding Secretary at his office within ten (10) days of the date the candidate was notified in writing of his nomination to Local Union office by the Recording-Corresponding Secretary. Said written acceptance shall be filed in person or by mailing the same, by registered or certified mail, receipt requested, addressed to the Recording-Corresponding Secretary at his office at the Local Union Headquarters. A written acceptance of nomination received by the Recording-Corresponding Secretary after the aforementioned ten (10) day period, shall be null and void.

Section 4. Election Commissioners - In the month of February preceding the election, each District, by ballot

vote, shall elect by majority vote of the members in good standing as of December 31st of the previous year residing in that District and voting at the particular District meeting two (2) members in good standing as of December 31st of the previous year from that District to act as Election Commissioners. The Election Commissioners shall have complete charge of preparing the ballots and shall supervise the mailing of ballots. The Election Commissioners shall prepare and review nominating petitions and then shall review the written acceptance of nominations and affidavits in order to determine whether a candidate fulfills the requirements of these By-Laws and the International Constitution. The Election Commissioners shall retain all written acceptances of nominations and affidavits and direct the Local to print appropriate ballots. They shall pass upon all matters pertaining to the nominations and the election. The Election Commissioners shall be in complete charge of the election and all matters pertaining to thereto. No meeting of the Election Commission can be conducted with less than 72 hours' written notice to the Commissioners, *provided* that such notice be attempted by electronic and personal delivery. Nine (9) members present shall constitute a quorum of the Commissioners. In the event of a dispute among the Commissioners, a majority of those voting shall have control. No candidate for office or for the Executive Board shall be a member of the Commission.

Section 5. Nomination - Nominations for the position of District Executive Board shall take place in the month of May preceding the elections at the regular District meetings. Also, in the month of May preceding the election, nominations shall be held in all the Districts at the regular District meetings for Local Union Officers. Candidates for Local Union Officers need only be nominated in a single District. All members shall be notified at least fifteen (15) days prior to

the holding of such nominating meeting and a notice of that meeting shall be placed in the LOCAL 150 ENGINEER, which shall also carry a notification of the election to be held in August by mail referendum. Nominations shall be made from the floor. A nominator may place only a single name in nomination each time he or she is recognized. At the nominating meeting, nominators shall be required to have proof of their identity and to submit a written statement specifying the individuals they are nominating by means of registration number. Names of all candidates nominated at said meetings shall be recorded by the Recording-Corresponding Secretary. Within five (5) days after the nominations have been concluded, the Recording-Corresponding Secretary shall mail to each member nominated, at his last known home address, notice of his nomination and of the office to which he has been nominated. The Recording-Corresponding Secretary shall read, or cause to be read, the name of each nominee and identify the office to which such nominee seeks election at each regularly scheduled Local Union membership meeting and District meeting held after receipt of the nominees' written acceptance of nomination. After notification is so made, and the time has elapsed in which a nominee is required to furnish a written acceptance of said nomination the Recording-Corresponding Secretary shall furnish all documents received to the Election Commissioners. The Election Commissioners shall then review all written acceptances of nomination, affidavits and other pertinent documents of nomination, to determine whether the candidate fulfills the requirements of these By-Laws and the International Constitution. Names of all candidates nominated pursuant to the above, and who are eligible in accordance with the provisions of these By-Laws and the International Constitution shall then be placed on the ballot listing the incumbent for each

office or position first and the other nominees for the same office or position in alphabetical order by their last names.

Section 6. Observers - Each candidate for office shall be entitled to have one (1) observer per table to observe each table at which ballots are being prepared for mailing. During the count of ballots, each candidate for office shall be entitled to have one observer per table to observe each table at which ballots are being opened and tallied. No candidate for office may act as his own observer or as observer for any other candidate. Only members in good standing may act as observers.

Section 7. Mailing and Receiving of Referendum Ballot - The unmarked ballot listing the names of the qualified candidates for office shall be mailed by the Election Commissioners together with a plain unmarked envelope and an envelope bearing the name and return address of a Post Office Box to all eligible voters in the month of August in the election year. Included with the above shall be a letter from the Commissioners instructing the member regarding the correct procedure in marking the ballot and returning the ballot to the Post Office Box address. Each member shall place his name, address, and signature on the envelope containing the return address of the Post Office Box. The vote ballot is to be placed in the separate envelope marked "ballot," which envelope is then to be inserted within the envelope containing the Post Office Box address. The Election Commission shall allow no less than two weeks for the return of ballots. In accordance with the above, the Commissioners shall rent a Post Office Box and for that purpose shall be given a letter of authorization and identification by the President-Business Manager. The Post Office Box shall not be opened except in the presence of a quorum of Election Commissioners on the published date set by the Commission for the ballot-count.

Section 8. Non-Opposed Elections. Where all the candidates, duly nominated to Local Union office are unopposed for election, the Election Commissioners shall dispense with a secret ballot vote as to those candidates and shall direct the Recording-Corresponding Secretary to cast one ballot for the nominees who shall then be declared duly elected to their office. In the event a single candidate is duly nominated to Local Union office, and is unopposed for Election to that office, the Election Commissioners shall dispense with a secret ballot vote for that office and direct the Recording-Corresponding Secretary to cast one (1) ballot for the nominee who shall then be declared duly elected to such office. The Election Commissioners shall also place the name of the unopposed candidate to that office on the regular ballot with an "X" printed in the box next to the candidate's name signifying the election of that candidate.

Section 9. Counting Ballots - The Election Commissioners with a quorum of members present, along with the Certified Public Accountant, shall open and secure all ballots from the Post Office Box on a date set by the Commission in the month of August of the election year, and shall deliver them to a pre-determined meeting room at the scheduled time for the meeting. Upon delivering the ballots to the meeting, the envelopes bearing the names of the members shall be checked against the membership roster of Local 150 and branch subdivisions thereof maintained by the Financial Secretary. Each envelope shall then be opened and the enclosed envelope marked "ballot" shall be deposited in the ballot box, in view of the Commissioners, Certified Public Accountant, and the observers present at the meeting. When all ballots contained in such envelopes have been placed in the ballot box, the Election Commissioners shall then open this ballot box and shall proceed to open each envelope and count each ballot.

The Election Commission shall have the discretion to utilize an electronic system for counting ballots.

Section 10. Supervision of Election - The election shall be supervised by a Certified Public Accountant who is chosen by the Election Commissioners and who shall be the official recording clerk of all votes cast and shall announce the results of the tally vote totals. The Commissioners shall then certify the results of the election. The Election Commissioners shall preserve all election records, including ballots, for one (1) year after the election.

Section 11. Plurality and Runoff - The candidate receiving the greatest number of votes cast for the particular office for which he is nominated shall be declared elected. In the event of a tie, a runoff election shall be conducted in the same manner as the regular election is conducted at such time as the Election Commissioners deem appropriate, not less than thirty (30) days following the date of the original election. Only those tying shall be entitled to be a candidate in the runoff election.

Section 12. Installation - New Officers shall be sworn in at the first regular meeting in September, but the swearing-in date shall have no effect on the September 1 commencement of the term.

Section 13. Election Protest - Any protest relating to the nomination and election of Officers must be made to the Local Union by registered mail within thirty (30) days after the election, setting forth in writing the specific reasons for such protest. Any member making a timely protest may appeal the decision of the Local Union thereon to the General Executive Board and the General Convention in accordance with Article XVII of the International Constitution.

Section 14. Death of Candidate - In the event of the death, between the nomination and the time of the last meeting preceding the election, of any Constitutional Officer who has been nominated to office in the forthcoming election, any member of the Local Union who is otherwise eligible, shall be eligible to be nominated, and upon his filing with the Recording-Corresponding Secretary of his written acceptance of said nomination, shall be eligible to be elected, and, if elected, to hold the office for which the deceased officer has been nominated. If death occurs after the last meeting preceding the election, nomination shall be effected by filing a written statement of candidacy with the Recording-Corresponding Secretary prior to the election, but in no event more than five (5) days after the deceased officer's death.

Section 15. Election Commission Minutes - At its initial organizational meeting, the Election Commission shall appoint a Secretary to keep minutes of all meetings. Such minutes shall be distributed to the Commissioners by electronic means where possible and regular mail no less than five business days prior to the next regularly scheduled meeting.

ARTICLE XV

Delegates - Other Than International Convention

Section 1. Appointment by President-Business Manager - Except where specifically provided by requirement of law, these By-Laws and the International Constitution, the President-Business Manager of this organization shall appoint delegates to all conventions, conferences and to meetings or gatherings which representatives of this organization attend.

Section 2. Election Required - Where the law requires the election of delegates to conventions other than the International Convention, then such delegates shall be

elected by secret ballot at either a special or General Membership meeting of this organization or at a District Membership meeting as determined at the sole discretion of the Executive Board. The Executive Board shall make the arrangements for the notification to the membership that such an election or elections will be held.

ARTICLE XVI

Delegates - General International Convention

Section 1. Eligibility, Nomination and Election - All members in good standing of the Local Union are eligible to become delegates to the International Convention. Nominations for delegates shall take place at the regular District meetings in the month of December in the year prior to the International Convention and the election of delegates by secret ballot via mail referendum shall take place in the month of January, prior to the Convention. Nominations shall be made from the floor. A nominator may place only a single name in nomination each time he or she is recognized. Nominees must be nominated in the District of their affiliation by nominators who are also affiliated with that District. At the nomination meeting, nominators shall be required to have proof of their identity and submit a written statement specifying the individuals they are nominating by means of registration number. District delegates shall be elected at large. All members in good standing shall be entitled to vote in this election.

Section 2. Number of Delegates - The Local Union will be entitled to the number of Convention delegates specified in the International Constitution. The delegate positions will be filled as follows:

- (a) Officer/Delegates - In accordance with the International Constitution, the President-

Business Manager, Recording-Corresponding Secretary, Vice President, Treasurer and Financial Secretary shall be delegates to the Convention. The District affiliation of these delegates shall not be taken into account in determining a District's entitlement to delegates as set forth in Sections (b) and (c) below;

- (b) Elected District Delegates - Each District shall be entitled to one delegate to the International Convention;
- (c) If any remaining delegates are permitted to the Local Union by the International Constitution, the Local Union Executive Board shall determine, based upon the financial status of the Local, how many of these delegates will be elected and taken to the Convention. The number of delegates so determined by the Executive Board shall be allocated to the various Districts on the basis of the proportion of the members in good standing in each district to the total number of members in good standing in the Local Union as of the month of September preceding nominations.

Section 3. Conduct of Election - The Local Union Executive Board shall conduct the election for delegates to the International Convention. The Executive Board shall have the discretion to utilize an electronic system for marking and/or counting the ballots. Candidates for delegate positions shall be allowed observers in accordance with the provisions of Article XIV, Section 5. No candidate for delegate may act as his own observer or as an observer for any other candidate. Only members in good standing may act as observers. Election protests shall be made in accordance with the provisions of the International Constitution.

ARTICLE XVII

Job Steward

Section 1. Selection - In the event the President-Business Manager determines that a Job Steward or Stewards are necessary or advisable on a job or project, such Job Steward or Stewards shall be appointed by the President-Business Manager. The President-Business manager shall give due consideration to the request of the employees working on such job or project for the appointment of Stewards.

Section 2. Authority - The Job Steward's duties, functions and responsibilities shall be limited to receiving complaints from the members concerning health and welfare and pension, checking the dues standing, checking the job violations of the Collective Bargaining Agreement and investigating and reporting to the appropriate Business Representative. The Job Steward shall not have the authority to seek adjustment of violations of any Collective Bargaining Agreement nor shall he have the authority or be deemed to have the authority, nor shall he act to cause or attempt to cause, in any fashion whatsoever, any person to take any action or to cease from any action in violation of or in furtherance of the Collective Bargaining Agreement or the By-Laws or International Constitution of the Union.

The Job Steward shall report all violations to the Business Representative of the Union servicing his job or project for appropriate action. He shall not under any circumstances collect any money due or payable to the Local Union from any member or applicant for membership or any other person.

Section 3. Termination - A Job Steward who fails to carry out his duties, or who exceeds his authority, may be terminated from his position by the President-Business Manager.

ARTICLE XVIII

Funds

Section 1. Purpose - The funds of the Union shall be utilized solely for the legitimate expenses required in the conduct of the Union's affairs and the maintenance thereof and shall not be diverted therefrom.

Section 2. Loans - No loans shall be made from the monies of the Local Union for any purpose unless approved by the International President, and in no event shall loans of any type be made to any member, officer or Executive Board member of the Union.

Section 3. Special Funds - Where monies are collected for specific purposes, such funds collected shall be kept in a separate fund and utilized for such purpose or purposes unless transferred to the general accounts of the Union with the consent of the membership.

Section 4. Accounting Methods - Standard accounting methods shall be utilized. The books of Local 150 and of each of the Subdivisions shall be combined, consolidated and treated as one organization. Separate bank accounts or accounts with other depositories for Local 150 and for each of the Branch Subdivisions, however, may be established and maintained in order to secure a greater number of accounts insured to a certain maximum by agencies of the United States. A financial statement shall be printed annually in the LOCAL 150 ENGINEER.

Section 5. Indemnification - In appropriate civil cases where permitted by law, upon approval of the Executive Board or the membership, Local 150 will advance the costs of defense including reasonable attorneys fees to Officers and/or agents sued for conduct alleged to have occurred while in office provided the Officer and/or agent executes an indemnification agreement to repay the Union should he not be vindicated.

ARTICLE XIX

Salaries

Section 1. Full-time Officers - The President-Business Manager shall be the full-time Executive Officer of the organization. He shall receive a salary and expense allowance as determined by the Executive Board. The salary once established for the above named Officer may not be reduced during the term of such Officer.

Section 2. Other Officers - The Local Union may employ any of its other elected Officers as full time employees. The salary of such employees shall be determined in the same manner as that of other employees of the Local Union.

ARTICLE XX

Charges, Penalties, Trials and Appeals

Section 1. Power to Discipline - Members of Local 150 and the branch subdivisions thereof may be disciplined, fined, suspended or expelled for any violations or infractions of these By-Laws, the International Constitution, the Ritual or Rules of this organization or the International Union.

Section 2. District Form of Trial - The trial of a member shall be held in the District where the infraction, violation or cause arose. In the event that the infraction, violation or cause arose in more than one District, the Executive Board shall set the trial in any applicable District, giving due consideration to the residency of the complainant and the defendant. The decision of the Executive Board in this respect shall be final, binding and conclusive on all parties.

Section 3. Preferring of Charges - All charges must be preferred in writing, signed by the complainant and filed with the Recording-Corresponding Secretary.

Such charges shall be read by the Recording-Corresponding Secretary at the next succeeding meeting, following the filing of same, at the District or Districts where the offense charged was alleged to have been committed. Where the President is not the complainant, the charges must contain a signed statement of the complainant or some other member that he has personal knowledge of the facts which form the basis of the charges.

Section 4. Notification - Immediately upon filing of such charges, the Recording-Corresponding Secretary shall notify the defendant in writing, by registered or certified mail, return receipt requested, e-mail, and/or courier notice, enclosing a copy of said charges, and of the date set for the filing of an answer or defense or the entering of a plea by the defendant, which date shall not be less than two (2) nor more than four (4) weeks following the filing of the charges. Such date shall be selected by the President-Business Manager of the Union.

Section 5. Pre-Trial Procedure - Within thirty (30) days after the pleadings are filed, or the plea entered or the time elapsed within which same must be filed or entered, the Executive Board may at its discretion, order a pre-trial hearing and direct the complainants and defendants to appear at said hearing. All parties shall be notified in writing, by certified or registered mail, e-mail, and/or courier notice, providing the date, time and place of the hearing and the specific charges to be pre-tried. The purpose of the hearing shall be to define the issues and to make a preliminary determination as to whether the charges have merit. The Board upon hearing all the parties, may at its discretion, decline to process these charges after such hearing as being without merit. However, such decisions of the Board not to process the charges, shall be appealable to

the General Executive Board in accordance with the provisions of the International Constitution. The failure of the complainant to appear at such pre-trial hearing may result in a dismissal of the charges by the Board. The Board shall also have the power to settle the matter at such hearing in the event such settlement is mutually agreeable to all parties.

Section 6. Date of Trial and Notification - After the pleadings are filed or the plea entered, or the time has elapsed within which the same must be filed or answered, and the pre-trial procedure has been invoked and/or the time limitation for same has expired, the President-Business Manager shall notify the complainant and the defendant of the trial date and the District and the place and time thereof, which shall be at the next meeting of the particular District where the trial is to be held. Unless a request for postponement of the trial shall have been made to and granted by the President-Business Manager, at his discretion, the trial shall proceed upon the date set.

Section 7. Presentation of Case - Complainants and defendants may present their own cases or by counsel selected from among the membership of the International Union of Operating Engineers. Prior to the commencement of the trial, the President-Business Manager shall read the charges and all of the pleadings and pleas and shall see to it that all evidence is presented and a full and impartial hearing has been had upon the issues presented. The trial shall be conducted before the members present at said meeting.

Section 8. Balloting - Members of the Local Union present at said meeting and in attendance during the trial shall vote by secret ballot, either guilty or not guilty, on the merits of each individual charge. Three (3) tellers shall be appointed, one (1) by the defendant, one (1) by the complainant and one (1) by the President-Business

Manager, which tellers shall collect and tally the ballots and announce the verdict. If the President-Business Manager is either the complainant or the defendant, the third (3rd) teller shall be elected by a majority of the members voting at the meeting.

Section 9. Finding Requirements - A three-fourths ($\frac{3}{4}$) vote of the membership of Local 150 and the branch membership of Local Union recorded as being present and voting shall be required for conviction in cases involving expulsion and a majority vote shall be required in cases involving other penalties. If a verdict of guilty is returned, the President-Business Manager shall then prescribe the penalty permitted by the vote to be imposed.

Section 10. Absence of Complainant - In the event the complainant fails to appear at the time set for the trial, the President-Business Manager may dismiss the charges unless otherwise determined by a two-thirds ($\frac{2}{3}$) vote of the members of the Local Union present and voting.

Section 11. Absence of Defendant - In the event the defendant wilfully fails to appear at the time of the trial, the trial may be conducted in his absence, a vote taken and the ballots collected and tallied by tellers appointed by the President-Business Manager or elected from the membership in attendance if the President-Business Manager is a complainant. A verdict shall be announced and if the finding is guilty, the President-Business Manager shall prescribe the penalty permitted by the vote to be imposed.

Section 12. Announcement of Verdict and Penalty - The verdict reached and/or the penalty imposed shall be announced at the next meeting in each of the Districts of the Local Union.

Section 13. Deposit - Any member other than the President-Business Manager preferring charges against another member shall deposit Fifty (\$50.00) Dollars with the filing of each individual charge and in the event the individual charge is proved the deposit shall be returned to the member filing same, but if not proved the said Fifty (\$50.00) Dollars shall be forfeited to the Local Union.

Section 14. Appeal - Any member fined, disciplined or expelled, shall have the right to appeal to the General Executive Board of the International Union in the manner and form provided for in the International Constitution and the Laws and Rules established thereunder.

Section 15. Stay of Expulsion - Any appeal rightfully taken and properly filed wherein the penalty of expulsion is imposed shall cause the order of expulsion to be stayed until the decision of the General Executive Board of the International Union.

Section 16. Prerequisite to Appeal - Unless the requirement is waived in writing by the General Executive Board of the International Union, no member may appeal from the imposition of a fine unless and until such fine shall first have been paid by him.

ARTICLE XXI

Miscellaneous Rules

Section 1. Business Confidential - All business transactions of the Local Union within the knowledge of any member shall be held inviolate, confidential and private from persons outside of the organization.

Section 2. Claims for Shortages - Members who fail to make claim for shortages in wages and overtime within two (2) weeks after each pay period shall be deemed to have waived such claim.

Section 3. Dues Card - Members, while working on the job shall have their dues card reasonably handy and shall wear their quarterly button in plain sight, and no member shall give away or lend his button to anyone.

Section 4. Proper Care of Machinery - Members shall at all times give proper care to equipment, machinery or other property on the job. In order that a high degree of efficiency shall be maintained in all phases of the work, members shall neglect neither equipment nor their work.

Section 5. Owner-Operators - A member who owns or leases machines or equipment or who is engaged in operation of same shall not in any manner reduce or diminish standards and conditions achieved by this Local Union.

Section 6. Property Rights - Membership in this Local Union shall not vest any member thereof with the right, title to or interest in the funds, property or other assets belonging to the Local Union now or hereafter, and no member shall have a property right to membership in this organization.

ARTICLE XXII

Collective Bargaining Agreements

All Collective Bargaining Agreements shall be negotiated and approved in accordance with these By-Laws and the International Constitution. Anything to the contrary notwithstanding, no reference shall be made in any agreement with any employer to the provisions of these By-Laws. These By-Laws shall be considered separate and distinct from any collective bargaining agreement and the provisions of these By-Laws shall have no bearing upon the terms of the collective bargaining agreements between this Union and any Employer. All agree-

ments with employers shall be reduced to writing and no oral understanding shall be entered into.

ARTICLE XXIII

Official Communications

Section 1. Bulletin Board - There shall be in each District Office an official bulletin board located in the office where all official notices will be posted.

Section 2. Local 150 Engineer - THE LOCAL 150 ENGINEER may be a monthly publication and shall be recognized as the official publication of this Local Union. The President-Business Manager shall be the editor of the LOCAL 150 ENGINEER.

Section 3. Official Local 150 Website - Local 150 shall have one website, and that website shall be the sole, official publication of this Local Union. The President-Business Manager or his delegate shall be the administrator of the site, with exclusive authority to approve its content and design. No other website and/or internet vehicle is authorized by this Local Union.

ARTICLE XXIV

Conformance With International Constitution

In the event there is any conflict between the provisions of these By-Laws and the provisions of the International Constitution, the provisions of the International Constitution shall prevail.

ARTICLE XXV

Savings Clause

If any provision of these By-Laws shall be declared invalid or inoperative by any competent authority of the Judicial, Legislative or Administrative Branch of Federal or State Government, the Local Union

Executive Board shall have the authority to suspend the operation of such provision during the period of its invalidity and to substitute in its place and stead a provision which shall meet the objections of invalidity and which will be in accord with the intent and purposes of these By-Laws. If any article or section of these By-Laws should be held invalid by operation of law or by any tribunal of competent jurisdiction, the remainder of these By-Laws or the application of such Article or Section to persons or circumstances other than those as to which it had been held invalid, shall not be affected thereby.

ARTICLE XXVI

Amendments To By-Laws

Section 1. Amendment Procedures - These By-Laws may be amended by a vote of the membership as follows:

- (a) A proposed amendment shall initially be presented in writing to the Local Union Executive Board.
- (b) Upon approval of the Executive Board, the proposed amendment shall be submitted by said Board to the membership in good standing for a vote by secret ballot in accordance with any one of the following alternative methods:
 - (1) To a vote of the majority of membership in good standing voting at all of the District Meetings or;
 - (2) To a vote of the majority of the membership in good standing voting at a regular or special General Membership Meeting or;
 - (3) To a vote by mail referendum of the membership in good standing.

- (c) Notice of the submission of the proposed amendment for a vote at a District or regular or special membership meeting shall be mailed to all members in good standing at least fifteen (15) days prior to the scheduled meeting dates. In the event mail referendum is utilized, the notice shall be mailed at least fifteen (15) days prior to the date on which the ballots are to be mailed.

Section 2. Approval of International - Amendments to these By-Laws shall not become effective until adopted by the Local Union and approved by the International Union.

ARTICLE XXVII

Duration

Local 150 and any of its subdivisions shall not be dissolved as long as there shall be at least seven (7) members of the Local in good standing desirous of retaining the Charter.

ARTICLE XXVIII

Supersession

These By-Laws shall supersede and entirely replace all previous By-Laws of Local Union 150 and its subdivisions and shall become effective upon approval by the International Union.

ARTICLE XXIX

Ethical Practices

The standard practices suggested by the IUOE Code of Ethics adopted at the 37th International Convention April 2008 shall be adopted.

APPENDIX NO. 1

Rules of Order

The following Rules of Order shall govern all meetings of this Local Union except as otherwise provided in these By-Laws, the International Constitution and rules and regulations of this organization:

RULE 1. At the hour set, the President-Business Manager or his designated representative, shall call the meeting to order and preside.

RULE 2. A member shall not be allowed to leave the meeting while in session except by permission of the President-Business Manager or Vice President, or temporary chairman, after having given the retiring sign.

RULE 3. Any member under the influence of intoxicating liquor shall not be admitted to, or be permitted to remain in the meeting hall.

RULE 4. No subjects shall be discussed unless they are within the objects, purposes and principles of this Local Union.

RULE 5. Appeals from decisions of the chair shall not be debatable except by the President-Business Manager, and the member making such appeal.

RULE 6. A motion shall not be subject to debate until it has been recorded and stated by the Chairman.

RULE 7. A motion to adjourn shall not be in order until the conclusion of new business.

RULE 8. It shall not be in order for a person who has spoken on a question to move the previous question at the close of his remarks.

RULE 9. A member having made a motion may withdraw it with the consent of his second, but a motion

once debated cannot be withdrawn except by unanimous consent of the members present.

RULE 10. Before the presiding Officer declares the vote on a question, any member may ask for a division of the house, in which case the chair shall comply with such request and call for a standing vote.

RULE 11. A member shall not speak on any one question longer than five (5) minutes, more than once, or until everyone who desires has had an opportunity to speak. The presiding Officer may, at any time when in his opinion the business of the meeting is unduly prolonged without motion or second and as a matter of right put the question of terminating debate to the members in attendance.

RULE 12. A member shall not be interrupted while speaking except to call him to order, or for the purpose of explanation or information.

RULE 13. No individual member's electronic recording or sound amplification devices of any kind shall be permitted to be brought into nor used in any meetings provided in Article VIII of the By-Laws or at any session of the Executive Board or District Advisory Board.

By-Laws adopted by the membership of this Local Union on July 31, 2015.

JAMES M. SWEENEY
President-Business Manager
Local Union No. 150

Amendments to Local Union By-Laws approved by the International Union on January 27, 2016.

JAMES T. CALLAHAN
President
International Union of
Operating Engineers

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DISTRICTS

District 1 - Countryside - 708/482-8800

6200 Joliet Road
Countryside, Illinois 60525

District 2 - Joliet - 815/725-5561

1050 N. I-55 & E. Frontage Road
Joliet, Illinois 60431

District 3 - Lakemoor - 815/363-0002

28874 Rt. 120
Lakemoor, Illinois 60051

District 4 - Rockford - 815/874-4166

4477 Linden Road
Rockford, Illinois 61109

District 5 - Utica - 815/667-3036

740 East U.S. Route 6
Utica, Illinois 61373

District 6 - Lakeville - 574/784-3694

1001 North Michigan Street
Lakeville, Indiana 46536

District 7 - Merrillville - 219/736-7710

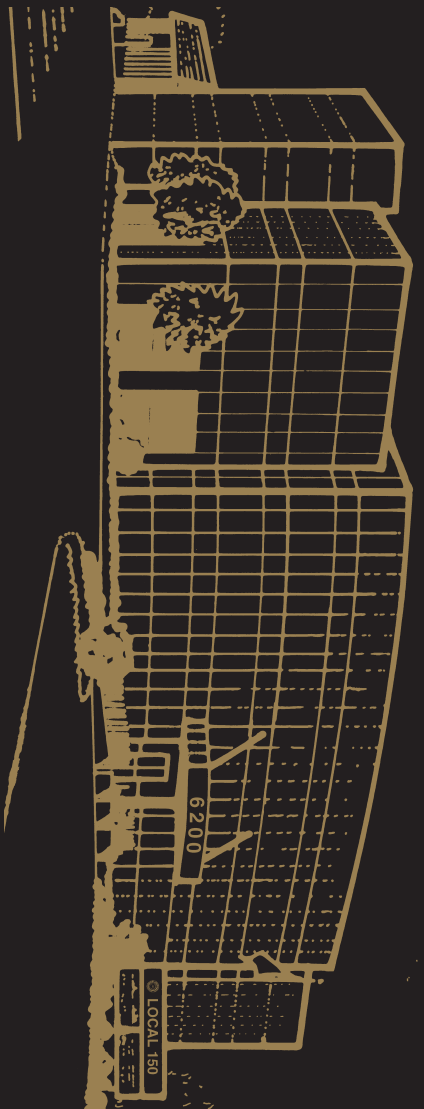
2193 W. 84th Place
Merrillville, Indiana 46410

District 8 - Rock Island - 309/787-4646

3511 78th Avenue West
Rock Island, Illinois 61201

Dist. 8 IA - West Burlington - 319/754-8135

16452 Highway 34
West Burlington, IA 52655



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