

BY-LAWS OF LOCAL UNION 1181-1061

PREAMBLE

The Amalgamated Transit Union, together with its Constitution and Laws, was established in order to secure and defend our rights, advance our interests as workers, create an authority whose seal shall constitute a certificate of character, intelligence and skill; build up an organization where all working members of our industry can participate in the discussion of those practical problems upon the solution of which depends our welfare and prosperity; to establish order, ensure harmony, promote the general cause of humanity and brotherly love, and secure the blessings of friendship, equality and truth.

To engage in such legislative, political, educational, cultural, social and welfare activities as will further the interests of the membership of this Local Union

WE, the members, therefore, constituting this body, do agree to be governed by the following By-Laws.

PRINCIPLES

First, we hold it as a sacred principle that trade union workers, above all others, should set a good example as good and faithful workers, performing their duties to their employers with honor to themselves and their organization.

STATEMENT

The following “Revised By-Laws and Rules of Order” approved by the members of Local Union 1181-1061 in accordance with the “Constitution and General Laws” of the Amalgamated Transit Union shall supersede all “By-Laws and Rules of Order” previously enacted by Local Union 1181-1061 and shall become effective upon approval of the International President.

Approval received on the 10th day of March, 2009.

NAME

This Local Union shall be known as Local Union 1181-1061 of the Amalgamated Transit Union AFL-CIO.

ARTICLE I

Meetings

Section 1. The general membership meeting of this Local Union shall be held each month at such location and on such day as the Executive Board may determine. Meetings shall be called to order promptly at 7:30PM.

The President-Business Agent may call meetings periodically for the various properties as the need for such meetings arises.

A member is required to attend either the general membership meeting each month or the property meeting in his area when such are called in lieu of attendance at the general membership meeting.

Section 2. Special meetings may be called by the President-Business Agent or by a majority vote of the Executive Board. The nature of the business to be acted upon shall be set forth in the Notice of the Special Meeting. No business shall be transacted except that for which the meeting has been called. At least 36 hours' notice of a Special Meeting shall be given, either by posting notices on the Bulletin Board at the garages, or by mail.

Section 3. Twenty (20) members in good standing shall constitute a quorum for the transaction of business.

Section 4. The regular monthly meeting shall be adjourned immediately after the Financial Report has been read and acted upon.

ARTICLE II

Membership

Section 1. Qualifications for membership shall be as specified in the Constitution and General Laws of the Amalgamated Transit Union AFL-CIO.

Section 2. Applications for membership shall be made on the regular application blank of the Union and may be accompanied by a signed authorization to the employing company for the check-off of dues and other monies due the Local Union.

ARTICLE III

Officers

GENERAL OFFICERS : The Officers of the Local Union shall consist of a President-Business Agent, Vice President, Recording Secretary, Financial Secretary-Treasurer and nine (9) Executive Board members. All Officers shall be elected by the membership at large.

ARTICLE IV

Convention Delegates

Executive Board members shall be Convention delegates and the positions shall be nominated and elected as Executive Board Member and Convention Delegate. Additional Convention delegates may be elected at the same time and in the same manner as officers of the Local Union, or at such other time, as is in accordance with Constitution and General Laws of the International Union.

Executive Board shall determine the number of Convention delegates who shall attend the convention on behalf of the Local.

ARTICLE V

Election

Section 1. All officers shall be elected under the plurality system, regardless of the number of candidates running for each office, the candidate receiving the greatest number of votes shall be elected.

Section 2. All candidates for office must be eligible under the Constitution and General Laws of our Union. Members to be eligible to run for office in this Local Union, must have complied with the provisions of the General Constitution and By-Laws of the Local Union. Members of this Local Union in the service of this Local Union of the International Union, are deemed to be in service and are eligible for office provided they have complied with the provisions of the General Constitution and the By-Laws of the Local Union. Members to be eligible for office shall have had at least two (2) years continuous membership in good standing. Members who have voluntarily left the service in which the membership of the Local Union is engaged, or who have retired on pension or who have been discharged for cause found by the Local Union to be proper are not eligible to run for any office in the Local Union. No member who is disqualified from holding office under the provisions of Section 504 of the Labor-Management Reporting and Disclosure Act of 1959, shall be eligible for holding office in this Union.

Section 3. All nominations for office shall be made at the May General Membership Meeting every three (3) years on written notice at least thirty (30) days prior to the election.

All nominations must be seconded by at least one (1) member in good standing.

The nominations for general office shall be from the eligible membership of the entire Local Union; and all members shall vote for the nominees for general office.

Section 4. Written notice of election must be given to each member in good standing at least fifteen (15) days prior to the election by mailing such notice to each Division member at his last known address.

Section 5. The Financial Secretary-Treasurer shall supervise the preparation of the ballots assisted by two (2) tellers appointed by the President-Business Agent.

It shall be the duty of the Financial Secretary-Treasurer and the tellers to check the eligibility of all candidates and prepare all printed ballots showing the names of all candidates in alphabetical order.

The Executive Board may, in its discretion, designate the Honest Ballot Association or a similar organization, to prepare the ballots and to handle the count of the votes.

The actions of the designated organization shall be supervised by the Financial-Secretary Treasurer and the tellers.

Results of the election for each of the positions of the Local Union shall be published.

The Financial Secretary-Treasurer shall preserve for one (1) year the ballots and other records pertaining to the election. In no event, shall write-ins be permitted on any ballot.

Section 6.

Regular elections shall be held in the month of June following the month of May in which nominations are held. Elections of officers shall be conducted by use of a mail ballot. The preparation, mailing, collection and counting of the ballots shall be conducted by representatives of an independent elections service under the supervision of the Financial Secretary-Treasurer. Any candidate shall have the right to have an observer at the location of the counting of the ballots. Each member in good standing

shall be entitled to one (1) vote, which shall be by secret ballot. A ballot and instructions on the casting of a mail ballot shall be mailed to each Local Union member at the member's last known home address. The Executive Board shall designate the date the ballots will be mailed and the date and location of the counting of the ballots. Ballots must be mailed at least fifteen (15) days prior to the date and time the ballots are to be returned.

Section 7. Immediately upon the closing of the polls, the Financial Secretary-Treasurer and the tellers shall proceed to count the ballots in the presence of interested members; and the report of such count shall be made known to the members immediately upon the completion of such count. In the event an agency has been designated to conduct the election under the provisions of this Article V, then the Financial Secretary-Treasurer and the tellers should supervise the count of the ballots in the presence of interested members and the report of such count shall be made known to the members immediately upon the completion of such count.

Section 8. All Officers and Executive Board Members shall be elected for a period of three (3) years and shall assume their duties of office on July 1st following their election.

Section 9. All vacancies occurring in office except the President-Business Agent shall be filled by the President-Business Agent with the approval of the Executive Board for the balance of the term.

In the event of a vacancy in the President-Business Agent's position, that position shall be filled by a special election which must be held within ninety (90) days of the occurrence of the vacancy. Such special election shall be in accordance with the election procedures set forth herein. Pending the special election for President-Business Agent, the duties of the President-Business Agent shall be performed by the Vice President until such time as the newly elected President-Business Agent is installed into office.

Section 10. An officer or other Executive Board member who fails to attend three (3) consecutive General Membership meetings or three (3)

consecutive Executive Board meetings without reasonable excuse, shall relinquish his office after a hearing; and his office shall be filled pursuant to the provisions of Section 9.

ARTICLE VI

The Executive Board shall at all times, be the governing body of the Local Union and shall consist of thirteen (13) members who shall be the President-Business Agent who shall act as Chairman of the Executive Board and shall vote only in the case of a tie; the Vice President; the Recording Secretary; the Financial Secretary-Treasurer and nine (9) Board Members.

It shall be the duty of the Executive Board to supervise and direct the management of the Local Union. The President-Business Agent shall act as Chairman of the Board and shall call special meetings of the Board when he deems them necessary. Seven (7) Board Members shall constitute a quorum. The Board may transact such business as may properly come before them.

ARTICLE VII

In the event this Local Union participates in a Welfare Fund or a Pension Fund, the President-Business Agent and the Financial Secretary-Treasurer shall act as the Union-designated Trustees of such funds. If a third Trustee is deemed advisable, such Trustee shall be the Recording Secretary of the Local Union.

ARTICLE VIII

Shop Stewards

Where the President-Business Agent deems a shop steward necessary, he/she shall order an election for shop steward by the members working at a particular location or property and shop steward positions may not be combined with any other office of the Local. Shop stewards shall report to the President-Business Agent. Vacancies in shop stewards positions shall be

filled by appointment by the President-Business Agent until such time as an election may be held to fill the vacancy.

ARTICLE IX

The Local Union may own and operate real estate for the use and purposes of the Local Union and its membership. The Local Union may form a corporation for such purpose of holding title to any real property purchased by the Local Union; and, at the expiration of their terms of office, shall be required to execute such documents as shall be necessary to vest title to such property in their successors as Trustees for the Local Union. The President-Business Agent and the Financial Secretary-Treasurer shall execute such documents as are necessary to transact any business in connection with such property.

ARTICLE X

Duties of Officers

PRESIDENT-BUSINESS AGENT:

The President -Business Agent shall preside over all meetings of the Local Union and conduct same under Robert's Rules of Order, Revised; preserve order therein and enforce the laws, rules and regulations of the Local Union and those of the Constitution and General Laws of the Union. Should any occasion arise not covered by the regulations, he shall act according to the dictates of common sense guided by an earnest desire for the best interest of the Union.

He shall see that all officers perform their respective duties; preside at all meetings of the Executive Board; and in the event of a tie vote on any issue before either the Board or the general membership, shall cast the deciding vote. He shall appoint all committees; announce the result of all votes and enforce all fines and penalties.

He shall call special meetings of the Local Union when he deems it necessary.

The President-Business Agent shall have the power to appoint special organizers and to determine their wages and benefits while serving in such appointed positions, and may assign duties as required by the needs of the Local Union, subject to the approval of the Executive Board.

May appoint a Sergeant-at-Arms if the needs of the Local Union require.

May likewise hire such full-time and/or part time office help as the needs of the Local Union may require and shall have the authority to set their terms and conditions of employment, subject to the approval of the Executive Board.

The President-Business Agent may in his discretion, remove any person appointed by him.

The President-Business Agent or his designee shall investigate all disputes and questions when properly presented between the members of the Local Union and an Employer.

He shall be the President of any realty corporation formed for the purpose of holding title to any property owned by the Local Union.

The President-Business Agent shall sign all checks and drafts drawn by the Local Union jointly with the Financial Secretary-Treasurer.

He shall be a member of the Executive Board.

He shall be a delegate to all Conventions.

VICE PRESIDENT :

The Vice-President shall assist the President-Business Agent in preserving order at meetings, shall be a member of the Executive Board, shall be a delegate to all Conventions.

In the event of a vacancy in the office of the President-Business Agent, the Vice President shall assume the duties of the office of the President / Business Agent until the office is properly filled in accordance with the requirement of these by-laws.

RECORDING SECRETARY :

The Recording Secretary shall keep a correct account of the proceedings of the Local Union, to call the roll of officers and 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 property entrusted to his care.

He shall be a member of the Executive Board.

He shall be a delegate to all Conventions.

FINANCIAL SECRETARY-TREASURER :

The Financial Secretary-Treasurer shall keep a true and proper account of finances and collect all monies due the Local Union.

He shall report all receipts and expenditures at the regular monthly meeting.

He shall deliver all financial records to the auditor for semi-annual and annual audits and shall report the results of such audits when received.

He shall see that the Local Union is kept in good standing with the International Union, forwarding all reports to the General Office and

receiving receipts for same.

He shall pay all bills with the approval of the President-Business Agent.

He shall give such bonds as the Local Union may require and designate.

He shall deposit all monies in the Bank selected by the Executive Board in the name of the Local Union, only to be drawn therefrom by drafts signed by himself and the President-Business Agent jointly.

He shall be a member of the Executive Board. He shall perform such other duties pertaining to his office as are enjoined by the laws, rules and regulations of the Association.

He shall supervise the preparation of the election ballots and the action of any organization designated by the Executive Board to prepare and handle the election of officers. He shall preserve for one (1) year all ballots and any other materials pertaining to elections.

He shall be a delegate to all conventions.

He shall be Secretary-Treasurer of any realty corporation formed for the purpose of holding title to any property owned by the Local Union.

ARTICLE XI

Salaries

The positions of President-Business Agent, Vice President, Financial Secretary-Treasurer, Recording Secretary and Executive Board members shall be full-time salaried positions. They shall receive such salaries as are in effect at the time of election to office. Salaries shall be increased by the same percentage increase in wages, and at the same effective dates, as increases in

wages in the Labor Agreement covering those members employed by Various Contractors performing work under contract for the New York City Department of Education. Salaries shall be subject to change by action of the membership by amendment of these by-laws.

The expense allowances and all benefits of all officers, and the expense allowance of shop stewards, shall be the same as is in effect at the time of the approval of these by-laws, subject to change by action of the membership by amendment of these by-laws.

All other positions shall be without salary except where appointed by the President-Business Agent with the approval of the Executive Board to perform duties on behalf of the Local Union. The salary and expense allowance of members so appointed and the expense allowance of shop stewards, shall be determined by the President-Business Agent with the approval of the Executive Board.

ARTICLE XII

Donations

An appropriate symbol of condolence may be given in the event of death of a member or spouse.

ARTICLE XIII

Initiation Fees

Group A Members	\$ 300.00
Group B Members	150.00
Group C Members	75.00
Group D Members	50.00

Group A Members

Shall include all bus operators and shop employees employed within the five (5) boroughs of the City of New York, transit, and department of education employees wherever employed and shop employees working in Nassau-Suffolk Counties.

Group B Members

Shall include all matron attendant escorts employed within the five (5) boroughs of the City of New York and all full-time paratransit employees.

Group C Members

Shall include all full-time and two-piece school bus employees employed within Nassau, Suffolk and Westchester and other counties within the State of New York.

Group D Members

Shall include all one report or casual bus employees, matrons and drivers' assistants (DA's) within Nassau and Suffolk counties and part-time paratransit employees.

A member moving from a category with a lower initiation fee to a category with a higher initiation fee, shall be required to pay the difference in initiation fee between the category from which he moved, to the category which he is entering within thirty (30) days.

In no event shall any member be entitled to a rebate for their initiation fee as a member.

ARTICLE XIV

Dues

Section 1. The dues of this Local Union for all members shall be one and one-half (1 ½) per cent of the gross wages earned by each member while employed in this industry by an employer party to an agreement with this Local Union .

Section 2. Any member failing to sign the check-off authorization shall pay to the Local Union weekly, one and one-half (1 ½) per cent of the gross wages earned by him in the preceding week.

Section 3. The minimum dues of this Local Union for all categories of members including those who may have been terminated and having their case litigated by the Local Union, those who are on disability, workmen's compensation, or unemployed due to lack of summer work, shall be the International monthly per capita tax as set forth in the Amalgamated Transit Union's Constitution and General Laws. Each member shall be required to pay to the Financial Secretary-Treasurer during the first week of each month, such sums as are necessary to make the minimum dues payment under the provision of this Article.

Section 4. Dues for retired members who retired prior to July 1, 1971, shall be \$3.00 per month. Dues for retired members who retired on or after July 1, 1971, shall be \$5.00 per month.

Section 5. In addition to all other dues provided for, the sum of five (5) cents per hour for each hour worked (not to exceed eight (8) hours in any one (1) day, five (5) days per week, for a maximum of forty (40) weeks in any one (1) year, as additional dues shall be deducted from the wages of each employee and go into a Special Organizational and Defense Fund which will be used for organizational and job security purposes and expenses in connection therewith.

This additional dues deduction shall continue indefinitely; and all interest shall be accumulated in such Fund and be part of the balance in such Fund.

Section 6. It shall be the duty of the member to see that any arrears in dues are paid.

Section 7. Dues are payable on the first (1st) day of each month and if not paid by the fifteenth (15th) day of the month following the month in which dues are due, the member shall not be in good standing until fully paid up. Continued delinquency shall be treated in accordance with the Constitution and General Laws of the Amalgamated Transit Union.

ARTICLE XV

Assessments

Notwithstanding any other provisions of these By-Laws, assessments may be levied by a majority vote by secret ballot of the members in good standing voting at a general or special membership meeting called for said purpose on five (5) days' notice to the membership.

ARTICLE XVI

Notwithstanding any other provisions of these By-Laws, the dues or initiation fee of this Local Union may be changed by a majority vote by secret ballot of the members in good standing, voting at a general or special membership meeting called for said purpose on fifteen (15) days' notice to the membership.

ARTICLE XVII

Trials

All appeals or trials shall be conducted in accordance with the Constitution and General Laws of the Amalgamated Transit Union.

ARTICLE XVIII

Duties of Members

It shall be the duty of each member to :

(a) Assist the Officers in advancing the interests of the Local Union and its members.

(b) Cooperate with the President-Business Agent by being sober, courteous, orderly and cooperative at meetings.

(c) Faithfully carry out the directives of the Local Union and to strictly observe all regulations or motions adopted by the Local Union at membership meetings.

(d) Observe their letter and spirit of the obligation taken when initiated and adhere to the Constitution, General Laws and By-Laws of the Local Union .

(e) Members must not be allowed to constitute themselves as committees.

ARTICLE XIX

Conduct at Meetings

(a) A member may not address the membership until recognized by the Chair, and may not continue if directed by the Chair to take his seat.

(b) Members shall signify their desire to take the floor by raising their right hand and remaining seated.

(c) Members may not discuss any issue longer than five (5) minutes in their original discourse. Subsequent speaking privileges on the same issue shall be limited to three (3) minutes.

(d) No member may be granted the floor to discuss an issue or motion for the second time until all members have had their first opportunity to discuss the matter before the membership.

(e) No member may interrupt a speaker unless to raise a “point of personal privilege”.

ARTICLE XX

All members are reminded that the following obligation is required as a prerequisite to membership in the Local Union and all are requested to carefully review its requirements.

“I, _____, in the presence of God and the members of this Union, do solemnly promise and pledge (without any reservation or evasion), to support the Constitution and laws of this 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 this Union and encourage my fellow workers to become members of the same. 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 reveal any of the

private business to any one 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 meetings of this 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 in word and action to every woman, and be considerate to the widow and orphans, the weak and defenseless, 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 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 I remain a member of this Union”.

ARTICLE XXI

General

Section 1. This Local Union will not be responsible for any personal injury or property damage suffered by a brother member before, during or after a meeting of this Local Union or at any other time.

Section 2. This Local Union will not be required to assist any member involved in any felony or other criminal action.

Section 3. The grievances and complaints of all members shall be processed by and through the Local Union by its properly accredited officers.

Section 4. The Executive Board shall constitute the “Arbitration Review Board” and by a majority vote may decide whether or not a grievance shall be taken to the arbitration step of the Grievance procedure. No member may appeal to the International Union for any reason until the question on appeal has been acted upon by the Executive Board.

Section 5. Members are required to notify the Financial Secretary-Treasurer of their correct addresses at all times.

ARTICLE XXII

Nothing contained in these By-Laws shall be construed or intended to circumvent any applicable Federal or State statute.

ARTICLE XXIII

Amendments

In order to amend, rescind, or alter these By-Laws or to substitute new By-Laws, the proposed changes must be submitted in writing and be read at two (2) consecutive meetings after which they shall be voted upon by the membership. A two-third (2/3) vote of the members present, shall be required to adopt. No change in By-Laws may take effect until approved by the International President.