

Criterion for Dissolving Branches & Other Bodies

The Constitution provides as follows . . .

ARTICLE XI Charters

- Sec. 1. The number of signers required on an application for a Charter shall not be less than 10.
- Sec. 2. The charter of a union or branch shall be surrendered when membership falls below 5.
- Sec. 3. Upon a union surrendering its charter, the ROC (or GEB where no ROC exists) shall appoint a representative of the Industrial Workers of the World to take charge of the charter, supplies and property and funds of said union. Members or officers of said union refusing to deliver charter, supplies, property or funds of union surrendering its charter to the authorized representatives of the Industrial Workers of the World shall be expelled from the organization.

The General Executive Board adopts the following rules as criterion for dissolving branches and other bodies of the union:

- 1. All property, tangible or intangible, real or personal, which is held by branches and other constituent bodies of the I. W. W. is the property of the whole organization, and is held in trust by those constituent bodies for the benefit of the whole organization. Under no circumstances shall the members of a defunct or disaffiliated body retain or divide among themselves the property held by that body, or transfer the same to any other organization.
- 2. The General Administration may declare a branch or other constituent body defunct if
 - a. Its membership in good standing falls below the minimum number required by the Constitution for three consecutive months;
 - b. It fails to hold meetings for three consecutive months;
 - c. It fails to have any officers for three consecutive months;
 - d. It fails to file a report with General Headquarters or to remit dues for three consecutive months; or
 - e. A majority of its members vote to surrender its charter, or to affiliate with any trade or business union, and there are not at least five members, willing to abide by the Constitution and By-Laws of the I. W. W., who object thereto.
- 3. Upon the happening of any of the events enumerated in Paragraph 2, the General-Secretary Treasurer shall promptly notify the General Executive Board, supplying any additional relevant information in his or her possession. If such information includes personal, scandalous, embarrassing, or other matter which ought not to be made public, the GST shall provide it by private communication to all members of the GEB. Any such matter may be made public by vote of the GEB.
- 4. If the body in question is subject to the jurisdiction of an Industrial Union or Regional Organizing Committee, the Secretary of that organization shall receive the same notice and information, and that organization shall take such action as may be called for in its charter or by-laws. If the IU or ROC having jurisdiction fails to take prompt action, the GST or GEB may take any reasonable steps necessary to safeguard the interests and property of the Organization, but shall take no such action without first informing the Secretary of the IU or ROC.

5. If the body in question is subject to the direct jurisdiction of the General Executive Board, or if the body having direct jurisdiction fails to take prompt action, the member of the GEB who is responsible for communication with that body (or if there is no such member, a member appointed by the chair) shall then investigate the matter and report within fourteen days to the full Board. If the report contains personal, scandalous, embarrassing, or other matter which ought not to be made public, the member shall provide it by private communication to all members of the GEB and the GST. Any such matter may be made public by vote of the GEB.
6. If the member concludes that the body is not defunct, she or he shall recommend to the GEB such steps as may be advisable to bring the body into compliance with the Constitution and By-Laws and restore it to proper operation.
7. If the member concludes that the body is defunct, she or he shall then move that its charter be revoked. He or she may also recommend to the GEB such steps as may be advisable to promote the reorganization of the defunct body.
8. Upon the revocation of the body's charter, the GST shall immediately appoint an honest and reliable representative, who need not be a member of the I. W. W., to secure the body's charter, seal, minutes, records, uncanceled dues and assessment stamps, blank membership cards, furniture, equipment, and any other property held by it, including money and accounts. The GST shall have authority to retain legal counsel if necessary to secure the union's property, and to provide the representative with such credentials as may be required; but no legal proceeding shall be instituted without the consent of the GEB, except where necessary to prevent the imminent theft, destruction, damage, or other loss of the union's property. No person who has been expelled from the I. W. W. or removed from office in the I. W. W. for misconduct shall be appointed representative under this paragraph.
9. All property formerly held by the defunct body, other than dues stamps and other membership materials, shall be held for one year at the General Headquarters or other convenient, secure place, pending the reorganization of the defunct body. Accounts formerly held by the defunct body shall be liquidated, and all money placed on deposit with some secure bank, as the GST may direct, in the name of the Industrial Workers of the World. At the end of that year, if the body has not reorganized, the property shall be disposed of as the GEB shall direct.