

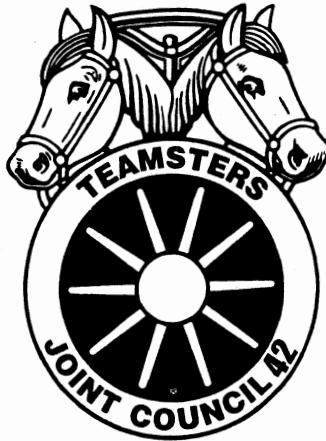
BYLAWS

of

Teamsters Joint Council 42

of

The International Brotherhood of Teamsters



**Amended September 10, 2005
Approved by IBT December 9, 2005**

INDEX

Article I	Name and Jurisdiction	Page 1
Article II	Main Office	Page 1
Article III	Object and Purpose	Page 1
Article IV	Membership and Representation	Page 4
Article V	Affiliations	Page 5
Article VI	Officers	Page 5
Article VII	Executive Board	Page 8
Article VIII	Meetings	Page 11
Article IX	Bonding	Page 12
Article X	Nominations and Elections of Officers	Page 12
Article XI	Finances	Page 17
Article XII	International Constitution	Page 18
Article XIII	Amendments	Page 18
Article XIV	Savings Clause	Page 19
Article XV	Fiscal Year	Page 19

ARTICLE I
NAME AND JURISDICTION

SECTION 1. This organization shall be known as Teamsters Joint Council 42, affiliated with the International Brotherhood of Teamsters, and shall consist of an unlimited number of locals chartered by the International Brotherhood of Teamsters.

SECTION 2. This Joint Council shall have jurisdiction over Local Unions affiliated therewith as prescribed by the International Brotherhood of Teamsters.

ARTICLE II
MAIN OFFICE

SECTION 1. The main office of this Joint Council shall be located at such place as is designated by the Joint Council Executive Board.

SECTION 2. All books, records and financial documents shall be kept at the principal office of the Joint Council.

ARTICLE III
OBJECT AND PURPOSE

SECTION 1. This Joint Council subscribes to the belief that all persons are entitled to collectively negotiate the terms and conditions of their employment and the compensation to be paid for their time and services under circumstances which give to them and their employer an equal voice in such matters.

Knowing that collective bargaining through a labor union is the only effective means whereby workers can acquire bargaining power equal to that of their employer, this Joint Council shall undertake proper and reasonable ways to encourage all employees to become and remain members of a union authorized to represent them for collective bargaining purposes.

SECTION 2. It shall be an object of this Joint Council to persuade and encourage persons working in employment under our jurisdiction to become and remain members in good standing of the Local Unions affiliated with this Joint Council; to engage in proper, reasonable and legal activities designed to persuade employees, employers and the public of the desirability of trade unions; to encourage a higher standard of skill among the members of our Local Unions; to seek to have incorporated in collective bargaining agreements entered into by our affiliated Local Unions the maximum union security and job protection provisions permitted by law, and to strive to protect and preserve their bargaining position and bargaining power; to seek proper, reasonable and legal means whereby we may protect our work standards from the threat of diminution; to act as an advisory body to all Local Unions affiliated with this Joint Council and to recommend to those Local Unions the best methods of settling all disputes or grievances referred to this Joint Council; to conduct research and keep statistics concerning collective bargaining agreements in general and those entered into by our member Local Unions in particular; to handle such trials and appeals, as well as to perform such duties and functions and exercise such powers as are prescribed in the International Constitution; and to exercise all rights permitted by law which tend to foster the interest and welfare of this Joint Council and its member Local Unions in particular and the labor movement in general.

SECTION 3. It shall be our further object and purpose to encourage and assist our member Local Unions in the acquisition of additional knowledge and information so that they may be better able to evaluate and pass judgment upon the matters which influence the affairs of those Local Unions, and the lives of their individual members; to encourage them to participate actively in the affairs of government and of their community.

SECTION 4. To the extent permitted by law, within the limits of the means and finances available to us, this organization shall engage in political activities which tend to foster the welfare of organized labor. This shall include but not be limited to the dissemination of information, views, opinions, suggestions and appeals to any and all persons by any means available concerning any candidate for public office or political issue. It shall also include financial contributions in support of the campaigns of candidates for or against any political issue.

SECTION 5. It shall further be an object of this Joint Council to receive, manage, invest, expend, or otherwise use the funds and property of this organization to carry out the duties and to achieve the objectives set forth in these bylaws and the International Constitution, and for such additional purposes and objects not inconsistent therewith as will further the interests of this organization and its members, directly or indirectly.

SECTION 6. We recognize that the interests and objects of a labor organization are not limited solely to those matters which directly affect collective bargaining or even to those matters set out above, but extend to all types of activities, including, but not limited to, activities of a political, fraternal, educational, charitable, welfare, cultural, civic, economic, legislative, and social nature which further the interests of this organization and its member Local Unions, directly, or indirectly. Therefore, participation of this organization in any such activities shall be considered to be for the sole benefit of the organization, its delegates, and its member Local Unions.

ARTICLE IV

MEMBERSHIP AND REPRESENTATION

SECTION 1. This Joint Council shall be composed of delegates of those Local Unions which have been chartered by the International Union and which are within the geographical jurisdiction of this Joint Council as specified from time to time by the International Union. And all such Local Unions shall affiliate with this Joint Council.

SECTION 2. Each affiliated Local Union shall be entitled to seven (7) delegates, who shall consist of its president, vice president, secretary-treasurer, recording secretary and three trustees. Business representatives who do not hold one of their Local Union's seven executive offices shall be entitled to the floor at a Joint Council meeting with the permission of the Chair, but cannot introduce or second a motion or vote.

SECTION 3. Credentials of delegates shall be furnished to the Joint Council on official stationery of the Local Union, signed by the secretary-treasurer of the Local Union, and shall bear the seal of the Local Union. The Joint Council Executive Board shall act as a committee on credentials.

SECTION 4. Any Local Union may bring guests to a Joint Council meeting, but such guests may speak only with the advance permission of the Chair. Guests may be excluded by the Chair from any portion of the Joint Council meeting.

SECTION 5. There shall be no alternate delegates.

SECTION 6. Each delegate shall be entitled to one (1) vote.

SECTION 7. No delegates of a Local Union shall be entitled to representation in the meetings of the Joint Council unless the Local Union is in good standing with the International Union and this Joint Council.

ARTICLE V

AFFILIATIONS

This organization shall comply with all present and future provisions of the International Constitution which require affiliation with other bodies and may, when authorized by the delegates, affiliate with any other organizations having objects or purposes consistent with one or more of the objects and purposes of this Joint Council.

ARTICLE VI

OFFICERS

SECTION 1. The officers of this organization shall consist of a President, Vice President, Secretary-Treasurer, Recording Secretary, and three Trustees. No other person or persons are authorized to (1) perform the functions of said officers, except as administrative or clerical assistants working under the direct supervision and control of the officers, or (2) perform or attempt to perform any of the executive functions of the organization.

SECTION 2. When the Joint Council pays bills by check, such checks must bear the signature of any two (2) of the following: the Joint Council President, Vice President, Secretary-Treasurer or Recording Secretary. In the event that two (2) or all of these officers become ill or otherwise incapacitated, the Joint Council Executive Board shall designate substitutes for the purpose of signing such checks but the Executive Board may not designate a Trustee to sign such checks.

SECTION 3. The President shall be the executive and administrative head of this organization. He shall preside at all regular and special meetings of the delegates and of the Executive Board, and shall conduct the same in conformity with these bylaws and the International Constitution. He shall enforce the provisions of these bylaws and the International Constitution. He shall decide all points of order, subject to an appeal to the delegates, and shall have the deciding vote in case of a tie on any question that is voted upon by the delegates. He shall assign tasks to and direct the organizational work of all staff members, and shall give regular reports of their activities to the Joint Council. He shall, together with the Secretary-Treasurer, exercise custody and control over the assets of the organization. He shall appoint all panels and committees, and alternates for Executive Board members who are unable to attend trials or hearings on appeal from Local Union trials or who may be-disqualified from hearing such trials or appeals because of interest in the case as party thereto. He shall hire such personnel as he may deem necessary from time to time, or discharge such personnel if deemed necessary. He shall be in charge of all labor disputes involving the Joint Council and shall grant or withhold strike sanctions. All documents involving the affairs of the Joint Council must bear the signature of the president in order to be valid; however, the President may delegate this power to sign documents to one or more of the other members of the Executive Board. The President shall determine the editorial policy of all Joint Council publications.

SECTION 4. It shall be the duty of the Vice President, in the absence of the President, to preside and perform all the duties pertaining to the office of the President, and to render such assistance as may be required.

SECTION 5. The Secretary-Treasurer shall, together with the President, exercise joint custody and control over the assets of the organization. He shall receive all monies of the organization and deposit all such monies in his possession in some safe bank or banks in the name of the Joint Council. He shall arrange for the audit of the Joint Council's books and records annually by a Certified Public Accountant. He shall make a financial report annually to the Joint Council.

SECTION 6. It shall be the duty of the Recording Secretary to keep a correct account of the proceedings of each meeting of the Joint Council and the Executive Board. All minutes shall be maintained at the Joint Council office, and a copy mailed to each Local Union.

SECTION 7. It shall be the duty of the three Trustees to provide for the audit of the books of the Joint Council by a Certified Public Accountant, in accordance with the policy of the Executive Board. The Trustees shall sign the monthly report of the Joint Council.

SECTION 8. Each officer of this Joint Council shall, in addition to his other duties, perform such other duties as may be assigned to him by the President or the Executive Board.

ARTICLE VII

EXECUTIVE BOARD

SECTION 1. Except as may be otherwise authorized by these bylaws, the Executive Board is authorized and empowered to conduct and manage the affairs of this Joint Council and to manage, invest and expend the funds of this organization in accordance with these bylaws and the International Constitution. Any action or expenditure reasonably related to the objectives or purposes of this organization, or made in order to preserve or enhance this organization, or any of its affiliates, or any organization with which it is affiliated, as an institution, and not contrary to these bylaws, or the International Constitution, is authorized. The Executive Board is hereby authorized and empowered, in addition to other powers as set forth herein or in the International Constitution, or conferred by law, to:

- (a) Provide for the salaries, allowances, conditions, expenses and reimbursement of expenses of officers, representatives and employees.
- (b) Provide for the payment of attorneys, accountants, representatives, key administrative personnel, clerical and custodial employees, and such other employees or services as may be required.
- (c) Initiate, defend, compromise, settle or release, and pay the expenses and costs of any legal proceedings or actions of any nature on behalf of the Joint Council, its officers, representatives and employees, if in its judgment it shall be necessary or desirable to protect, preserve or advance the interests of the Joint Council, including the indemnification of any judgment or settlement obtained against the officers, representatives, or employees of the Joint Council.

- (d) Provide and determine which officer or officers shall sign documents and checks on behalf of the Joint Council.
- (e) Delegate any of the administrative functions of the Executive Board to officers, representatives, or employees, except that employees shall not exercise executive functions or determine policy.
- (f) Determine and establish rules for the conduct of meetings, and the nomination and election of officers.

SECTION 2. It is recognized that the Executive Board and the Joint Council have heretofore adopted actions and resolutions for the conduct of the Joint Council. Except where such actions or resolutions are in conflict with these bylaws, such actions or resolutions shall be considered to be adopted in accordance herewith and shall remain in effect until changed in conformity with these bylaws.

SECTION 3. Allowances, expenses and benefits.

(a) The nature of the activities of this organization are such that the officers, representatives and key administrative employees must participate in cultural, civic, political, union, fraternal and educational activities in addition to their specifically assigned duties; that such activities benefit the Joint Council, its affiliated Local Unions and their members; the officers, representatives and key administrative employees must be considered to be on continuous call; therefore, the Executive Board shall be empowered and directed to:

- (1) Provide such regular expense allowance to officers, representatives and employees as the Executive Board may determine.

(2) Pay the expenses, either by reimbursement or directly, of officers, representatives, and employees incurred in connection with the activities of the Joint Council, upon and accounting to the Secretary-Treasurer or his designee.

(3) Pay the expenses, either by reimbursement or directly, of officers, representatives, or employees of authorized trips outside the territory of the Joint Council, upon an accounting to the Secretary-Treasurer or his designee.

(4) Provide automotive transportation to officers, representatives or employees, either in the form of an allowance, or the furnishing of leased, or Joint Council-owned car, as the Executive Board may decide, and provide maintenance therefore. The Executive Board is empowered to sell, exchange or lease automobiles, or arrange necessary financing. Because of the nature of the Joint Council's objectives and purposes and the responsibilities of such personnel and because of the difficulty of distinguishing between personal and business use of such transportation, any personal use of such transportation is hereby expressly authorized.

SECTION 4. The Executive Board may from time to time provide additional benefits to officers, representatives and employees, including but not limited to, vacations with pay, holidays, sick leave, disability, sickness, health and welfare, severance and retirement benefits and may from time to time provide additional compensation and allowances or other terms of employment. Any personal benefit derived from the operation of Section 3 above, is declared extra compensation, to such officers, representatives and employees for the continuous on-call character of their employment.

SECTION 5. The Executive Board shall provide for the adequate bonding of officers, representatives and employees, and may provide for the bonding of officers, representatives and employees of affiliated Local Unions.

SECTION 6. The Executive Board shall meet on the call of the President, upon reasonable notice to the members of the Executive Board, no less often than quarterly.

ARTICLE VIII

MEETINGS

SECTION 1. This Joint Council shall meet quarterly, on such dates, and at such times and places as may be determined by the Executive Board from time to time. The Executive Board may, upon reasonable notice to the Local Unions, change the time and place of any Joint Council meeting.

SECTION 2. Special meetings of the Joint Council may be called by the President, or by the Executive Board, or by majority vote of the delegates present and voting at a regular or special meeting. Advance written notice shall be sent to each Local Union of any special meeting, specifying the business to be considered at the meeting. Only the business specified in the notice shall be considered, except that the call of a special Joint Council meeting may be considered at any regular or special meeting.

SECTION 3. A quorum for the purpose of transacting business shall consist of a delegate or delegates from at least one-fifth (1/5) of the Local Unions affiliated with the Joint Council and the President shall determine the presence of a quorum at the beginning of each meeting. Such determination shall not be subject to review or reversal.

ARTICLE IX

BONDING

To the extent required by law, every officer, agent, employee or other representative of this organization who handles funds or other property of the organization shall be suitably bonded.

ARTICLE X

NOMINATION AND ELECTION OF OFFICERS

SECTION I. The officers of this organization shall be elected by the delegates to the Joint Council for a term of four (4) years. To be eligible to hold office in this organization, one must be a delegate to this Joint Council from a Local Union in good standing affiliated with this Joint Council. In the event that a Joint Council officer or delegate ceases to serve as a Local Union officer, he shall cease to be a Joint Council officer or delegate effective as of such time.

SECTION 2. Not more than one delegate from any one affiliated Local Union may hold elective office in the Joint Council at the same time. If more than one delegate from one affiliated Local Union is elected to office in the Joint Council, the delegate attaining the highest office in the Joint Council will retain his office and the others from the same Local Union shall forfeit their offices. (For purposes of this section only, the order of priority of offices from the highest to the lowest shall be, President, Vice President, Secretary-Treasurer, Recording Secretary, Trustees; among the Trustees the "highest office" shall be the delegate who received the highest number of votes.)

SECTION 3. Nominations shall be held in the month of January at a specially called meeting, and elections of officers shall be held at the regular (or a special) February meeting at the end of each four (4) year term. The January meeting shall be held on such a date as to insure that there are no less than thirty (30) days between the nominations and elections.

SECTION 4. The elections shall be by secret ballot.

SECTION 5. No delegate from a Local Union shall be eligible to nominate, second or vote in the election of officers unless the Local Union is in good standing with the International Union and this Joint Council.

SECTION 6. No delegate shall be eligible to vote in the election of officers unless he attained a Local Union office by election, as required by law.

SECTION 7. At least twenty (20) days prior to the nomination meeting specific notice of the date, time and place of the nomination meeting shall be sent to each delegate at his Local Union address.

SECTION 8. Nominations shall be made at the meeting by a delegate other than the nominee by motion seconded by another delegate other than the nominee. Candidates are advised to verify the good standing status of their nominator and seconder prior to the nominations meeting.

SECTION 9. Every delegate eligible to nominate candidates shall be entitled to nominate or second the nomination of one (1) candidate, but only one (1), for each office open. Prospective candidates may not nominate themselves nor second their own nomination.

SECTION 10. Nominations shall not be closed until a call for further nominations has been made three (3) times by the Chair without further nomination being made.

SECTION 11. In the event only one (1) candidate is nominated for any office, no election shall be conducted for such office unless required by law, and such unopposed candidate shall be declared elected by acclamation at the nominations meeting effective as of the conclusion of the term of the incumbent. In the case of the Trustees, no election shall be conducted if only three (3) candidates are nominated for that office.

SECTION 12. A delegate otherwise eligible to run for office shall become a bona fide candidate only upon his nomination for office an acceptance of the nomination. Candidates must accept nominations at the time made either in person or, if absent, in writing, and may accept nomination for only one (1) office. After a candidate has accepted nomination, he may not, under any circumstances, revoke his acceptance after the ballots are printed, except where as a result of the revocation the remaining candidate is unopposed.

SECTION 13. If any nominee should become unable to serve before the election, his name shall nevertheless appear on the ballot. In the event such name shall receive the requisite number of votes to be elected, the position shall then be filled in the same manner as vacancies are filled when they occur during a term of office as provided in these bylaws.

SECTION 14. After the nominations meeting, but not less than twenty (20) days prior to the election, specific notice of the date, time and place of the election and of the offices to be filled shall be mailed to each delegate at his Local Union office, if no notice has previously been sent. The election shall be held not earlier than thirty (30) days after the nominations meeting. The election shall be by paper secret ballot placed in boxes, unless the Executive Board has authorized the use of some standard type of election mechanical device insuring a secret ballot by machine vote. The election box, or boxes, or machine or machines shall be located at a place or places designated by the Executive Board.

SECTION 15. There shall be no proxy voting. Each delegate shall be entitled to one (1) vote. The Executive Board shall have the authority to establish all rules and regulations for the conduct of the election to supplement provisions therefore in the International Constitution and these bylaws including the authority to use the mail referendum balloting or absentee balloting without delegate approval. Absentee voting by mail shall be permitted only by delegates who are ill or absent because they are on a tour of duty.

SECTION 16. Each candidate shall have the right to have an observer who must be a delegate in good standing other than himself at the polling place. At the counting of the ballots the candidate may act as his own observer.

SECTION 17. The candidate for each office who receives a plurality of votes cast for the office shall be elected thereto except in case of Trustees, in which case the three (3) candidates receiving the highest number of votes shall be elected. In the event of a tie vote, the candidates shall resolve such tie by lot, except in the case of a tie for the office of president, in which case there shall be a re-election between only the candidates who have tied for the highest number of votes and only for that office.

SECTION 18. There shall be no write-in candidates and any ballot containing a write-in candidate shall be void insofar as the vote for that office is concerned.

SECTION 19. Officers shall be installed and take office at the meeting at which they are elected.

SECTION 20. At the nominations meeting, the acceptance of credentials and seating of delegates shall be the first order of business and the nominations of officers shall follow immediately. In the event of vacancies in office, the Executive Board is hereby empowered to elect a replacement for the unexpired term, except that if such officer is required by law or the International Constitution, to be elected by the delegates to the Joint Council to fill the unexpired term, the Executive Board shall establish the rules and procedures, for, and conduct such election. All such rules shall be in conformity with the International Constitution, these bylaws and applicable law.

SECTION 21. Any complaint, protest or charge by any delegate concerning the conduct of a Joint Council election shall be made to the General President in writing, by registered or certified mail, within forty-eight (48) hours setting forth the exact nature and specifications of the complaint, protest or charge and his claim as to how it has affected the outcome of the election. The General President shall decide such complaint, protest or charge. The decision of the General President may be appealed to the General Executive Board from whose decision there shall be no further appeal.

SECTION 22. The President shall appoint tellers for the election to tally the ballots. The results will be read by the Recording Secretary.

SECTION 23. Notices of nominations and elections may be combined by the Joint Council Executive Board.

ARTICLE XI

FINANCES

SECTION 1. The General Funds of the Joint Council shall be derived from per capita tax upon affiliated Local Unions.

SECTION 2. All tax or payments to the Joint Council shall be due and payable each month based on the membership of each affiliate for the preceding month and as reported to the International Union.

SECTION 3. Such tax or payments shall be due and payable not later than the twentieth day of the month following the month on which the tax is based. A Local Union shall be considered to be in arrears on their financial obligations and not in good standing if such payments are not received on or before such day.

SECTION 4. The per capita tax payable by affiliated Local Unions or their members to this Joint Council can only be changed by a vote of the majority of the delegates voting at a regular or specially called meeting of the Joint Council. Such meeting shall be held after not less than thirty (30) days' written notice to the principal officer of each affiliated Local Union.

SECTION 5. No general or special assessment shall be levied on affiliated Local Unions, or their members, except after a vote of the majority of the delegates voting at a regular or specially called meeting of the Joint Council. Such meeting shall be held after not less than thirty (30) days' written notice to the principal officer of each affiliated Local Union.

ARTICLE XII

INTERNATIONAL CONSTITUTION

SECTION 1. The Joint Council hereby adopts as its Constitution, the Constitution of the International Brotherhood of Teamsters, and incorporates herein by reference all applicable provisions of said Constitution as it may be interpreted, modified, or amended, from time to time.

SECTION 2. Should there be any conflict between the International Constitution and these bylaws, the provisions of the International Constitution shall apply.

ARTICLE XIII

AMENDMENTS

These bylaws shall be amended in the following manner: the proposed amendment shall be submitted in writing and signed by one or more delegates from at least six (6) affiliated Local Unions, only at the first regular meeting of the calendar year of the Joint Council. The Joint Council Executive Board may propose an amendment by majority vote in any month of the year. The proposed amendment shall be read and acted on at the next regular meeting of the Joint Council, after not less than thirty (30) days' written notice to the principal officer of each affiliated Local Union of the intention to vote on such amendment. Amendments must be approved by a two-thirds (2/3) vote of the delegates present and voting and shall become effective immediately unless otherwise provided therein.

ARTICLE XIV

SAVINGS CLAUSE

If any of the provisions of these bylaws shall become or be declared invalid or inoperative by competent authority, the Joint Council Executive Board shall have the authority to suspend the operation of such provision and to substitute therefore a provision which will meet the objection to its validity and will be in accord with the intent of such provision; in any event the remainder of these bylaws or the application to persons or circumstances other than those to which it has been held invalid, shall not thereby be affected.

ARTICLE XV

FISCAL YEAR

The fiscal year of this organization shall commence on the 1st day of January.