

**CONSTITUTION BY-LAWS
AND
RULES OF ORDER**



**UTILITY WORKERS UNION OF AMERICA
AFFILIATED WITH AFL-CIO
SYSTEM LOCAL 537**

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PREAMBLE

We the members of this System Local Union face the fact that time has proven that the individual union is at a distinct disadvantage in bargaining with its employer for wages, hours, and conditions of employment and that our voice is ignored in the making of decisions that virtually affect our welfare.

We feel that it is the natural right and moral duty of workers to unite and associate with one another in bonafide labor unions so that they may intelligently and democratically handle their common problems and select their own representatives.

We stand for progress and insist that we are entitled to an equitable share of the fruits of our labor in order that we and our dependents may enjoy health, respectability, and security.

We favor an intelligent, progressive democracy and believe it is our duty and our right to love our country, to obey its laws, respect its flag and to protect it against all enemies.

Therefore, we the members of this Union, pledge ourselves to labor united in behalf of the principles herein set forth and to consistently endeavor to bring about a higher standard of living for the working classes.

CONSTITUTION AND BY – LAWS

ARTICLE 1

NAME AND AFFILIATION

This organization shall be known as System Local 537, Utility Workers Union of America, AFL-CIO. (hereinafter referred to as “System Local 537”).

ARTICLE 2

OBJECTS AND JURISDICTION

The objects of this organization shall be:

Section 1. To unite into one union, all non-supervisory employees who are engaged in work in the territory over which the System Local has been granted jurisdiction, and who are eligible for membership under the Constitution of the National Union.

Section 2. To assist each other in every way possible to reduce the hours of daily labor, to secure adequate and increased pay for our work, by legislation, conciliation, negotiation and, if necessary, by strikes, and to promote the general welfare of the members and their dependents.

Section 3. To labor for the enactment of legislation that will protect the life and limb of the workers, conserve their health and improve social conditions.

Section 4. To establish and maintain among our members that spirit of understanding and loyalty that will guarantee the rights of others being respected and

which will provide for each member the cooperation and protection to which he or she is justly entitled.

Section 5. To establish and maintain friendly relations insofar as possible between the Union and the Company. This constitution and By-Laws shall apply to all members of this System Local 537.

Section 6. References to the word "He" also includes reference to the word "she".

ARTICLE 3 ORGANIZATION

Section 1. This Union shall consist of all Divisions now in effect in the Pennsylvania-American Water Company and the Washington-East Washington Joint Authority and any other employer providing utility service to commercial, residential or industrial customers in the Pennsylvania Jurisdiction or any other territory where this union is granted jurisdiction in the future. All Divisions shall hereafter be known as: Local 537, (name of employing utility) Division, UWUA, AFL-CIO.

Section 2. All seniority of each member shall apply to the District of which he or she is employed.

Section 3. It shall be decided by the System Executive Board the number of members required to maintain an existing district.

Section 4. Districts newly created, as of July 1, 2005, consisting of less than (15) fifteen members, will negotiate contracts with the assistance of the National Union.

ARTICLE 4
MEMBERSHIP

Section 1. Any new person employed in a category governed by this Local shall become, within the 31st calendar day, a member of same and shall pay the initiation fee by the 31st calendar day of employment.

Section 2. All initiation fees of all new employees, whether they are permanent or temporary, shall be \$50.00 and will comply with Section 1 in paying initiation fees.

Section 3. All members shall sign a register book upon entrance to any meeting of the district locals.

Section 4. When System Officers and the System Executive Board hold their quarterly meetings, they too shall sign the register book.

ARTICLE 5
INITIATION OF MEMBERS

I do pledge my word and honor that I will obey all the rules and regulations of this System Local and do, to the best of my ability, perform all duties as a member thereof.

ARTICLE 6
WITHDRAWAL OR TRANSFER CARD

Section 1. Any member in good standing with System Local who may be laid off, transferred, or quit of his own free will, is entitled to a withdrawal or transfer

card at this time and shall request same through the System Secretary-Treasurer at no cost.

ARTICLE 7 SYSTEM OFFICERS

Section 1. System Officers shall consist of President, Vice-President, Secretary-Treasurer and Recording Secretary.

Section 2. Term of office for System Officers shall be three (3) years and until their successors are elected commencing with terms of office beginning after January 1, 1990

Section 3. No System Officer can hold more than one elected System Local Office in the System Local concurrently. A Division Officer can hold a System Local Office and a Division Office at the same time, providing he or she can handle both jobs.

Section 4. Any member in good standing with System Local can run for a System Office.

Section 5. Any member of the System Local who has been found guilty of embezzling or misappropriating funds or of defrauding this System Local or any Division or any other embezzling or fraud shall be ineligible to hold any office or represent this System Local on any committee or as a delegate.

Section 6. By virtue of their election, the System President, Vice-President, and Secretary-Treasurer, when elected to office, shall also be elected as Delegates to the Region and National Union

conventions, and, in accordance with the Labor-Management Reporting and Disclosure Act of 1959, as amended, the nomination and election process for officers, including the notice of nominations and election and the voting ballots shall include “UWUA National Convention Delegate and Regional Delegate”

ARTICLE 8

DUTIES OF THE SYSTEM PRESIDENT

Section 1. The System President shall be the Chief Executive Officer of this System Union.

Section 2. He shall have general supervision over the business of the Union in between business meetings of the System Board, and shall conduct same in accordance with the System Union Constitution and By-Laws.

Section 3. He shall, when approved by the System Executive Board, be authorized to employ such help as may be necessary for the efficient conduct of the affairs of his office and of this organization. He may, without approval of the System Executive Board, appoint any number of members in good standing of this union to serve as unpaid Business Agents, whether or not on a full time basis, to assist him in the performance of any or all of his duties. Any such appointments may be rescinded or vacated by the System Executive Board at any time, and the System Executive Board may, at any time, by resolution, eliminate his power to so appoint any such agents.

Section 4. It shall be the duty of the System President to preside at all meetings of the System

Executive Board and Negotiating Committees and to cast the deciding vote in case of a tie.

Section 5. It shall be his duty to visit all Divisions when possible, at least once a year. He shall inspect their proceedings whether in person or by deputy and appoint officers to act for him with full power whenever it is impossible for him to be present in person.
He shall attend and serve as Chairman of all System Joint Conferences

Section 6. He shall appoint all committees not otherwise provided for in this Constitution and By-Laws.

Section 7. He shall conduct in person or by deputy all negotiations with the Company subject to the laws and order of this Union and shall have full authority to order such action as he may deem necessary to enforce the provisions and principles of contracts in effect between this Union and the Company or to bring a contract where none exists.

Section 8. In the event of an interim vacancy in the office of the System President, the System Vice-President shall act as President Pro Tem and he shall immediately arrange for the holding of an election for President to fill the remainder of the former President's un-expired term, if the remaining length of office is greater than half of the length of the full term. If the length of office is less than half of the full term, the System Executive Board will appoint an officer to complete the term.

ARTICLE 9
DUTIES OF THE SYSTEM VICE-PRESIDENT

Section 1. The duties of the System Vice-President shall be to act as and replace the System President in his absence. In the event of an interim vacancy in the office of the System Vice-President, the office of the System Vice-President shall be filled within thirty (30) days in accordance with Article 8, section 8 of the Constitution By-Laws.

Section 2. The System Vice-President shall assist the President in any manner indicated by that official.

Section 3. He shall when approved by the System President be authorized to employ such help as may be necessary for the efficient conduct of the affairs of his office and this organization.

Section 4. It shall also be the duty of the System Vice-President to attend with the System President all meetings of the System Executive Board and Negotiating Committees.

Section 5. It shall also be the duty of the System Vice-President to visit all Divisions with the System President at least once a year.

Section 6. The System Vice-President shall attend, with the President, all Divisional Union-Management Conferences unless otherwise instructed by the President.

Section 7. He shall be the Chief Officer of all Committees not otherwise provided for in this Constitution and By-Laws.

Section 8. The System Vice-President shall be authorized to co-sign checks and disbursement vouchers

ARTICLE 10

DUTIES OF THE SYSTEM SECRETARY-TREASURER

Section 1. The System Secretary-Treasurer shall act as Secretary of the System Executive Board and Negotiating Committee, conduct all correspondence with the various Locals, have charge of all funds of this organization and shall receive all money, initiation fees, etc from all Locals and shall pay all bills authorized by the President or by the System Executive Board, keep record of membership, preserve all important documents, papers, and letters received, pay all lawful benefits, supervise the purchase of all receipts and expenditures.

Section 2. He shall issue a financial statement to each Division and to all members of the System Executive Board at the time of each regular System Executive Board meeting and audited report shall be prepared and distributed to the above officers after fiscal year.

Section 3. He shall, when approved by the System Executive Board; be authorized to employ such help as may be necessary for the efficient conduct of the affairs of his office and of this organization.

Section 4. He shall act and cooperate with the System President in pursuance of his duties; he shall give the necessary time to the duties of his office and can be removed there from by any specific charges proven against him. In the event of an interim vacancy in the office of the System Secretary-Treasurer, the office of the System Secretary-Treasurer shall be filled within thirty (30) days in accordance with Article 8, section 8 of the Constitution By-Laws.

Section 5. He shall send in each month to the National Office of the U.W.U.A., the per capita reports, together with per capita payments for the System Union.

Section 6. It shall be his duty to visit all Divisions at least once a year, if possible. He shall attend Divisional Union-Management Conferences when it is deemed advisable by the President. He shall attend all System Joint Conferences.

Section 7. He shall attend all meetings of System Executive Board and Negotiating Committee.

Section 8. The retiring Secretary-Treasurer shall instruct the incoming Secretary-Treasurer in the performances of his duties for a period of thirty (30) days following the expiration of his term, for which he shall receive his regular salary. In the event the retiring Secretary-Treasurer fails to perform this service, no compensation will be paid.

ARTICLE 11
DUTIES OF RECORDING SECRETARY

Section 1. The Recording Secretary shall keep in a file provided for the purpose, a record of all the Local's meetings, monthly, special, grievance and negotiations; keep a record of the subjects debated, the disputants and decisions, and all correspondences pertaining to this office.

Section 2. The Recording Secretary shall also have charge of the official register of admittance that each member must sign, and see to it that this register is prominently displayed at the entrance to the meeting quarters.

Section 3. The Recording Secretary shall temporarily succeed the President and Vice-President in the office in the event of simultaneous vacancies in both offices. The Recording Secretary shall perform the duties outlined in Section 1 of this Article until a special election can be held in accordance with Article 8, Section 8.

ARTICLE 12 SYSTEM EXECUTIVE BOARD

Section 1. System Executive Board shall consist of System President, System Vice-President, System Secretary-Treasurer, System Recording Secretary and one member from each division in this System Local, which other members shall be elected pursuant to Article I5-D.

Section 2. The System Executive Board shall have supervision over all business of the Union, including the selection of the grievances to be escalated to arbitration. This authority shall not include the ne-

gotiation of a contract between Union and the Company. Contracts must be taken back to the membership at large for ratification. They shall have full authority to consider and decide appeals and matter's affecting this Union, subject to and according to this Constitution and By-Laws. The decisions of-the System Executive Board may be appealed to the membership at large but pending such appeal the decisions of the Board must be complied with.

Section 3. The System Executive Board shall be empowered to transact business pertaining to this Union by correspondence when not in session and action taken and decisions thus rendered shall be legal and stand as law.

Section 4. The System Executive Board shall hold at least three (3) meetings per year. Meetings shall be held at the call of the President or a majority of the System Executive Board provided no less than ten (10) days written notice is provided to all System Executive Board members.

Section 5. All charges and trials relative to members, officers, or elections shall be conducted in accordance with the National Constitution.

ARTICLE 13 SYSTEM COMMITTEES

Regular or special meetings may be called by the President to screen proposals submitted by the divisions, prepare for negotiations or conduct urgent business in their jurisdiction.

Section 1. Contract Negotiating Committee

a. The General Contract Negotiating Committee shall consist of any and all persons as deemed necessary by the System President, and whatever help the Committee may request for the successful pursuance of said negotiations.

b. The System Negotiating Committee shall meet in conference at the call of the President and shall have full authority to negotiate wages and other matters. In no case shall any committee meet in conference with the Company with regard to wages, working conditions, etc. without call of the President. Any agreement must be concurred by majority of the Negotiating Committee including the President, Vice-President, Secretary-Treasurer, subject to ratification by the members involved.

Section 2. System Joint Conference Committee

a. The System Joint Conference Committee shall consist of the System President, System Vice - President, System Secretary-Treasurer and Local Presidents concerned and whatever additional assistants the President deems advisable.

ARTICLE 14

FINANCES

Section 1. The initial monthly Union Dues of this System Local shall be two (2) hours pay per month per member per classification. Monthly dues shall not exceed the maximum established by the National Constitution. This System Local shall also have the authority

to levy an assessment to all members when it deems it necessary to help defray expenses incurred by this System Local. No assessment shall be levied without prior approval of the National Executive Committee. No assessment and no change in dues shall become effective until first approved by a majority of the votes cast by the membership at a secret ballot election to be held for that purpose.

Section 2. The monthly expenses to be paid to the System Officers and the Executive Board will be determined by the Executive Board from time to time.

Section 3. All officers shall be bonded by the National Office of the Utility Workers Union of America, AFL-CIO, according to the policy of the National Office.

Section 4. All monthly Union dues will be the same amount in all Divisions. Each Division may establish a "Social Fund" account if that individual Division so elects to do so. This is entirely a Division's decision and shall not have any effect on the established monthly Union dues of this System Local.

Section 5. A Division may elect to open an account in the "Pa.-American Water Federal Credit Union" or may elect to deposit their money in some other financial institution, but only on the name of the System Local as trustee. However, permission must be granted by the System Officers and Executive Board for any type of withdrawal from these financial accounts, The System Local may elect to open up an account in the "Pa.- American Water Federal Credit Union" and deposits made whenever feasible.

Section 6. Any outstanding expense that a Division has now prior to this System Local organizing shall be reported to the System Local Officers and Executive Board. This expense shall be the responsibility of the Division.

Section 7. All monthly Union Dues shall be sent directly to the System Secretary-Treasurer who shall deposit said money in System Checking account. The necessary per capita fee amount will then be forwarded to the National Office. All property of any organization, joining System Local 537, will become immediately the property of said System Local, including file cabinets, copy machines, anything that was bought by the organization.

Section 8. No expense shall be incurred by a Division unless authorized by the System Executive Board. The approved expense will be sent to the System Secretary-Treasurer on a "Disbursement Voucher" for payment together with a receipt for the expenses actually incurred.

Section 9. Any two (2) of the four (4) System Officers shall have the authority to sign checks for payment for this System Local.

Section 10. The System President shall appoint a financial audit committee of not less than three (3) or not more than five (5) members to make a yearly examination of the financial accounts of the System Local.

Section 11. The System Local Officers or anyone delegated by the System Local Officers, using their own vehicle for transportation for Union business shall receive the accepted mileage rate allowed by the IRS, but the Executive Board shall have the right to change the mileage rate as it deems necessary. They shall also receive payment of normal wages, lost meals, hotel accommodations and other expenses incurred when on official business for this System Local.

Section 12. Initiation fee shall be \$50.00 for all employees, both permanent and temporary. This fee shall be collected on the 31st day by the Division Officers and forwarded to the System Secretary-Treasurer who will then forward the required amount back to the National Union. Initiation fee shall be waived for ex-servicemen if they apply for membership within one (1) year from the date of discharge from military service. Laid-off members shall not pay monthly Union dues during lay-off.

Section 13. A bereavement gift of a Bible or basket or flowers will be sent to a member whenever a death occurs in the immediate family (as per labor agreement with Employer, four (4) days clause only).

Section 14. Transfer certificates from other AFL-CIO Unions will be honored and no initiation fee will be required, provided that this System Local's amount is reached. If not, then the difference in the amount will be necessary.

Section 15. The System Local may elect to establish monthly expense for the various System Officers.

Section 16. The System Local may elect to establish monthly expense for the various Division Officers.

Section 17. The Executive Board has the authority to determine the wages and expenses of Division Officers in divisions with 100 or more members.

ARTICLE 15
SYSTEM AND DIVISION ELECTION LAWS
A. System Election Laws

Section 1. All candidates for System Officers shall be nominated by voice by any member in good standing at Division meetings between July 1 and August 31 beginning in 1989 and every third year thereafter. No quorum is needed to conduct a nomination meeting and no second is required for a nomination to office.

Section 2. The election for System Officers shall be held on the third Tuesday in September beginning in 1989 and every third year thereafter, and voting shall occur at each Division.

a. The System Executive Board shall see to the printing and preparation of ballots containing the names of all persons nominated at all Division meetings for System Officers, and shall further see to the distribution

of said ballots to all Divisions prior to the time set for election.

b. Each Division shall conduct its System officer election on the third Tuesday of September beginning in 1989 and every third year thereafter. The conduct and administration of said election shall be managed by each Division President and each Division President shall appoint a Committee to tabulate the election results at the Division level. Any election disputes that may arise over the administration of the election, the appointment of the aforesaid Committee, or the selection of voting places or times, or any other matter or thing relative to the conduct of said election shall be settled by the System Executive Board. All polling places shall be open for at least three (3) consecutive hours.

c. Tabulation of the election results by each Division shall be sent to the System Secretary-Treasurer. The System Secretary-Treasurer shall tabulate results to the System Executive Board, which System Executive Board shall certify the winning candidate for each System office, and which System Executive Board shall decide and determine all changes and protests to the election.

Section 3. The candidates for each System office receiving a majority of votes cast shall be declared the winner of said office. Write-in votes are prohibited. Any write-in vote will be treated as an illegal vote and shall not be taken into account in determining the number of votes cast for purposes of computing the majority.

a. If no single candidate receives a majority of the votes cast for a System office, the two (2) candidates receiving the highest number of votes in said election shall compete in a runoff election which shall be held on the fourth (4th) Tuesday following the September election. If, because of tie votes, more than two (2) people receive the same number of votes cast for either or both, the highest or second highest place with regard to any System office, then all of said persons receiving the same number of votes for said places shall face each other in the run-off election. Write-in votes are prohibited. Any write-in vote will be treated as an illegal vote and shall not be taken into account in determining the number of votes cast for purposes of computing the majority.

b. The System Executive Board shall see to the printing of ballots and distribution thereof to all Divisions containing the names of the persons to appear on said ballot for runoff election, said ballots to be distributed to all Divisions prior to the set for election.

c. Each Division shall conduct the System officer run-off election on the said fourth (4th) Tuesday following the September election. The conduct and administration of said election shall be managed by each Division President and each Division President shall appoint a Committee to tabulate the runoff election results at the Division level. Any election disputes that may arise over the administration of the runoff election, the appointment of the aforesaid Committee or the selection of said runoff election shall be settled by the System Executive Board.

d. Tabulation of the runoff election results by each Division shall be sent to the System Secretary-Treasurer. The System Secretary-Treasurer shall tabulate the results to the System Executive Board, which System Executive Board shall certify the winning candidate for each System office, and which System Executive Board shall decide and determine all challenges and protests to the runoff election.

e. The candidate for each office receiving the highest number of votes cast in the runoff election shall be declared the winner. If there is a tie vote with regard to any System office in a runoff election, the System Executive Board shall, by secret ballot, within 15 days after certification of election results, meet and elect from the candidates who have tied in running for said office one of them to hold said System office.

Section 4. All properly elected System officers, whether elected in the regular or runoff election shall take office effective January 1 of the even numbered year immediately following the year in which the election for said office was held, and said person shall hold office for a term of three (3) years and until their successors are elected.

B. Division Election Laws

Section 1. All election for division office shall be conducted on the same dates, at the same times, and under the exact same rules and regulations as set forth in this Article relative to system elections.

Section 2. All disputes concerning Division elections shall be determined by the System Executive Board, and the certification of all division election results shall be done and made by the System Executive Board.

Section 3. All persons elected to division office shall take office on January 1 of the year immediately following the year of their election, and shall serve for a term of three (3) years and until their successors are elected.

C. Miscellaneous Provisions Applying to System Elections and Division Elections.

Section 1. All voting in all system and division elections shall be by secret ballot. Absentee voting is expressly prohibited by these bylaws.

Section 2. All contracts shall be ratified by vote of the membership, which vote shall be conducted by secret ballot. The administration, scheduling and procedure to be used at said voting shall be fixed by the System Executive Board by resolution from time to time.

Section 3. With regard to any system or division election, the time and place of voting and location of all polling places shall be made known to all members of the Branch Locals, both by announcement at the Union Meetings, and by posting in all work places, Union meeting halls and in any other places determined proper by the Local President, at least fifteen (15) days in advance of the conduct of said election. If, however, for emergency, or other valid reasons, it is impossible to obtain the location of the polling place and/or the times

during which said election shall be held more than fifteen (15) days in advance of the holding of said election, then said information shall be posted as set forth above within 24 hours after the information becomes known. In addition, all election notices must be mailed to each member at his or her last known address at least fifteen (15) days prior to the election.

Section 4. With regard to any system, division or contract ratification election, and notwithstanding any other of the terms and provisions of these By-Laws, immediately upon the close of voting, the results shall be tabulated at the division level and the tabulation of results by the division and all ballots actually cast in said election, shall be transmitted to the System Secretary-Treasurer in a sealed envelope, all of the same to be done within 24 hours after the closing of polls.

D. System Executive Board Members.

Section 1. All members of the System Executive Board except the System President, System Vice-President, System Secretary-Treasurer and System Recording Secretary, shall be elected by the membership at the same time and in same manner as all other System Offices.

Section 2. All candidates for System Executive Board shall be nominated in the same manner as all other candidates for system office, and in addition thereto, each Division President shall be deemed to be a candidate for System Executive Board, whether or not nominated pursuant to A-1 of this Article. If any Division President shall decline to be a candidate for System

Executive Board, the Vice-President of that Division shall be deemed a candidate in his place.

Section 3. There shall be at least one candidate from each Division for the position of System Executive Board Member.

ARTICLE 16

LAWS OF BALLOT ON RESOLUTIONS

Section 1. All resolutions of laws and rules conflicting with these By-Laws are hereby repealed.

Section 2. Propositions for an amendment to or resolution of the Constitution or By-Laws shall first be made as a motion at a regular or special meeting of one or more divisions and upon passage of the motion by a majority vote, the President shall appoint a Committee of three (3) members to draft the resolution or amendment and report same back at the next regular meeting, and upon receiving approval of the Division said amendment or resolution shall be sent to the System Secretary-Treasurer for action by the System Executive Board to be sent out for a referendum vote. Propositions for an amendment or resolution may be originated by System Executive Board.

Section 3. All voting on resolutions or amendments must be by secret ballot. Such resolutions or amendments shall be printed on individual ballots furnished by the System Local with two spaces provided thus:

For Resolution or Amendment
Against Resolution or Amendment

Section 4. Voting on resolutions or amendments shall be done in the same manner as for regular elections.

Section 5. All resolutions or amendments must first be read and discussed at a regular or special meeting of each Division to be held at least thirty (30) but no more than sixty (60) days after being approved for referendum vote before being put to a vote.

Section 6. Absentee voting is expressly prohibited by these bylaws.

ARTICLE 17
TRIALS AND APPEALS
TRIALS OF LOCAL UNION OFFICERS AND
MEMBERS

Section 1.

(a). A member or officer of the System Union charged by any other member of the System Union with any offense constituting, a violation of these By-Laws or the National Constitution or By-Laws shall, unless otherwise provided for, be tried by the System Executive Board. If the member charged or preferring the charges is a member of such Board, or if a member of the System Executive Board is unable to attend the hearing for any reason, the System President shall appoint a disinterested member as a substitute. If either the System President or System Secretary-Treasurer is charged or prefers the charges, or is unable to attend the hearing for any reason, the other Officer shall appoint the substitute.

If both the System President and the System Secretary-Treasurer are charged or prefer the charges, or for any reason are unable to attend the hearing, the remaining members of the System Executive Board shall appoint the substitutes. Charges by, against or involving a majority of the members of a System Executive Board shall be filed with the System Local and heard by the National Union.

(b). Whenever charges are preferred against any member or officer of a Division, the charges shall be filed in writing in duplicate with the Secretary-Treasurer of the Division and the System Executive Board. No member or officer of a Division shall be tried unless he or she shall be served by the System Secretary-Treasurer, personally or by registered or certified mail, with a written copy of such charges specifying the nature of the offense of which he or she is accused. Thereupon, the accused shall be required to stand trial at the time and place designated, which shall not be less than thirty (30) days from the date the charges are served upon the accused. The accused may appear in person, and with witnesses, to answer the charges preferred against him or her. The accused may select only a member of his division to represent him in the presentation of his defense; and the charging party may select only a member of his Division to assist him in the presentation of the evidence in support of the charges. The System Executive Board shall have the authority to determine the manner of reporting the proceedings and shall have the authority to exclude any method not authorized by it. Any charge based upon alleged misconduct, which occurred more than one (1) year prior to the filing of

such charge, is barred and shall be rejected by the System Secretary -Treasurer.

(c). A member of one Division shall have a right to file charges against a member of another Division. Such charges must be filed with the System Executive Board and the Division of which the accused is a member.

(d). If the charges, or any portion thereof, are sustained, then the trial body shall render judgment and impose disciplinary actions as provided herein and in the National Constitution and By-Laws. If the charges are not sustained, the same shall be dismissed.

(e). No member or officer shall be required to stand trial on charges involving the same set of facts as to which he is facing criminal or civil trial until his final court appeal has been concluded.

(f). Charges may be preferred against a suspended member or an ex-member who has been issued a withdrawal card.

APPEALS OF LOCAL UNION OFFICERS AND MEMBERS

Section 2

(a). In the event disciplinary action is taken against the accused, he or she may take an appeal from the decision of the System Executive Board as provided in the National Constitution and By-Laws.

(b) Failure of any interested party in any case to appear before the System Executive Board at the time and place designated in the notice shall constitute a waiver of appearance and the trial shall proceed regardless of the absence of such party. If the charging party fails to appear in person and/or present evidence on the date set for trial or hearing, the charges shall be dismissed; such dismissal shall constitute a final adjudication from which there can be no appeal, and after such dismissal, the accused may not be retried on the same charges.

(c). Any party to a case, regardless of whether such party is the accused or not, being aggrieved of a decision rendered in the case shall be entitled to the same rights of appeal as are hereinabove provided for the accused.

GROUND FOR CHARGES AGAINST MEMBERS AND OFFICERS

Section 3. The basis for charges against members and officers for which he shall stand trial shall consist of, but not be limited to, the following:

(1) Violation of any specific provision of the National Constitution or By-Laws or failure to perform any of the duties specified there under.

(2) Violation of the oath of loyalty to the System Local Union and the National Union.

(3) Embezzlement.

(4) Secession, or fostering the same.

(5) Abuse of fellow members and officers by written or oral communication.

(6) Abuse of fellow members or officers in the meeting hall.

(7) Filing charges in bad faith or out of malice.

(8) Any action which is disruptive of or interferes with the performance or obligations of other members or branch Local Unions under collective bargaining agreements.

(9) Crossing an authorized picket line established by the member's System Local Union or any other subordinate body affiliated with the National Union, including a Division.

(10) Violation of any collective bargaining agreement in effect with any System Local Union or Division thereof.

(11) Any of the specific offenses listed here after.

(12) Any other accusation made pursuant to these By-Laws or the National Constitution or By-Laws, or alleging any improper conduct.

SPECIFIC OFFENSES

Section 4. Any member who (1) knowingly (goes to work or remains in the employment of any person, firm or corporation, whose men are on strike or locked out. unless he has permission of the National Union, or his System Local Union, may be tried by the System Executive Board. Any member who (2) knowingly gives or attempts to give, directly or indirectly, any information to any employer on an unfair list or whose men are on strike or locked out, or whose men are trying to secure an agreement or an improvement in their working conditions, or whose men are trying to prevent an increase in hours of labor or a decrease in wages, for the purpose of assisting such employer, or for any gain or promise of gain, or who (3) knowingly goes to work or

remains in the employment of any person, firm or corporation on an unfair list of the National Union without permission from the National Union may be tried in the manner provided for the trial of other offenses.

REFUSAL TO RETURN RECORDS

Section 5. Any member (1) who wrongfully takes or retains any money, books, papers or any other property belonging to the International System Local Union or other subordinate body or (2) who destroys any books, bills, receipts, vouchers, or other property of the International System Local Union or other subordinate body, may be tried in the manner provided for the trial of other offenses.

DECISIONS AND PENALTIES

Section 6.

(a). Decisions and penalties imposed upon individual members or officers found guilty of charges may consist of reprimands, fines, suspensions, expulsions, revocations, denial to hold any office permanently or for a fixed period or commands to do or perform, or refrain from doing or performing, specified acts. If the penalty is by way of fine, then the same must be paid pending an appeal, if one is taken, A System Local Union ordered to re-instate a member or perform an act other than the payment of a fine must comply therewith as a condition precedent to taking an appeal. If the fine is against a member or officer of a System Local Union, assessed by the System Local Union, it shall be paid into the treasury of the System Local Union.

(b). When such penalty consist only of a fine and an appeal is taken, such fine shall be deposited as above provided; thereupon such member, or officer shall be permitted to continue in the Union with full rights and privileges in accordance with the laws of the International Union. If on appeal, the decision is reversed and the fine disallowed, then the same shall be returned to the party depositing the same. Whenever any trial or appellate body hands down a decision, and an appeal is taken, such decision shall stand and remain in full force and effect until reversed by a higher body.

(c). In the event of non-compliance with the decision handed down by a trial or appellate body, the member or officer shall stand suspended from all rights and privileges until the provisions of the decision have been complied with. If, however, the decision carries with it an order of expulsion, then such order of explosion shall immediately take effect.

EXHAUSTION OF REMEDIES

Section 7.

(a). Every member or officer against whom charges have been preferred and disciplinary action taken as a result thereof, or against whom adverse rulings or decisions have been rendered or who claims to be aggrieved, shall be obligated to exhaust all remedies provided for herein and in the National Constitution and By-Laws, before resorting to any court, tribunal or agency.

(b). Where a member or officer before or following exhaustion of all remedies provide for within

the National Union, resorts to a court of law and loses his or its cause therein, all costs and expenses incurred may be assessed against such individuals in the nature of a fine, subject to all penalties applicable where fines remain unpaid.

(c). The appeals procedure provided herein is also available to and must be followed by any member who is aggrieved by any decision, ruling, or opinion or action of the System Executive Board, excluding collective bargaining matters.

ARTICLE 18
PENNSYLVANIA-AMERICAN WATER COMPANY
MEMBERSHIP

Section 1. Membership in Division shall be composed of all non-supervisory employees of the Pennsylvania-American Water Company, The Washington-East Washington Joint Authority and any other employer who are Union members in the Local's jurisdiction.

Section 2. Each applicant for membership shall fill in an official application form and check-off authorization stating name address, and place of employment and position field. Members on leave shall pay their dues directly to the System Secretary-Treasurer unless officially excused.

Section 3. Candidates must present themselves at the next regular business meeting of the Division following the meeting at which their membership application has been approved in order to take the obligation of the Union before being, admitted to full

membership. Applicants who find it unreasonable or impractical to be present at the first meeting must obtain a postponement from the Division President.

Section 4. Any member more than three (3) months in arrears in payment of dues shall become delinquent and be suspended. No person, unless he is in good standing shall be entitled to privileges, protection of benefits of the Union, subject, however, to the Union's duty to represent said person as required by law or contract.

Section 5. Any member suspended for non-payment of dues may be re-instated at any time upon payment of all dues, fees and assessments that may be in arrears, plus a reinstatement fee of such amount as may be decided by the System Local or proper officers thereof.

Section 6. A member who becomes sick for a period extending beyond the time during which they receive sick pay from the Company, shall be maintained in good standing without payment of dues until he returns to work or leaves the Company's employ.

Section 7. Members who become unemployed due to involuntary lay-off or retirement may remain in good standing without payment of dues until gainfully employed by reporting monthly to the Division Treasurer. Such members shall all have the rights and privileges of membership except they shall not be entitled to voting rights.

Section 8. This Union may accept the transfer card from any member transferring from another local of the Utility Workers Union of America or the National Union or from an affiliate of the National AFL-CIO in which he is in good standing.

Section 9. Honorary Membership Cards may be issued to retired members by the National Union after an application for cards bearing the name and address of retired employees has been approved by a majority vote at a regular membership meeting

Section 10. All members shall keep the Secretary of their respective Local informed as to any change in residence or place of employment and the Local Secretary shall convey all such information to the System Secretary-Treasurer.

ARTICLE 19

DIVISION MEETINGS AND SYSTEM MEETINGS

Section 1. All Divisions shall remain to run the same as they have run in the past. The System Officers shall inspect various meetings and shall request change to the System Executive Board if change is necessary.

Section 2. Special meetings may be called by the System President, Division President, and System Executive Board or by 25 percent of membership of the Division.

Section 3. All members should attend all regular and special meetings of their respective Divisions.

Section 4. Each Division shall establish the number of representatives required to constitute a quorum and shall notify the System Secretary-Treasurer of the number designated.

Section 5. All Divisions shall send in the date of the meeting and place meeting was held, also a copy of minutes of the meeting to the System President.

Section 6. Each Division shall meet at least quarterly or as needed at a regular time and place. Regular System Local meetings of the membership shall be held twice yearly, at times and places fixed by the System Executive Board. Special System Local Meetings shall be held upon the call of the System President, System Executive Board or upon the written demand of 25 percent of the membership of the System Local. In the latter case, the System Executive Board shall fix a time (not more than 20 days after receipt of the demand) and a place for said meeting.

Section 7. Absentee voting is expressly prohibited by these bylaws.

ARTICLE 20 ***DIVISION OFFICERS***

Section 1. Division Officers according to district size, shall consist of:

- (a)** 1 - 15 Members, President
- (b)** 16 - 25 Members, President and Vice-President.
- (c)** 26 - 35 Members, President, Vice-President, and Recording Secretary.

(d) 36 - 45 Members, President, Vice-President, Recording Secretary, and Steward.

(e) 46 or more members, add 1 additional steward.

(f) You shall have 1 additional steward for every 10 members in excess of 46 members, however the Executive Board shall have the authority to limit and or add the amount of paid stewards in each district.

(g) These changes will automatically go into effect on Jan. 1, 2007

(h) In districts with only 1 officer, in the event of an interim vacancy, the System Executive shall appoint someone to fill the vacancy.

ARTICLE 21

DUTIES OF DIVISION OFFICERS

Section 1. The duties of the Division Officers shall remain the same as they have been in the past according to each Division except for Secretary-Treasurer.

Section 2. The Division Secretary-Treasurer will not pay any bills of Division. He shall send all bills into the System Secretary-Treasurer who shall pay all bills from System Local Treasury.

Section 3. Committees. All Divisions may set up committees as they deem necessary to conduct the affairs of their respective Divisions.

Section 4. If an elective Officer or member of any committee of the Division absents himself for two (2) consecutive meetings without sufficient excuse, his

office or membership of such committee shall be declared vacant, and a replacement shall be properly elected or appointed.

Section 5. Shop Stewards shall be elected by the members in each department following the division election and shall serve until next election or until they resign or are removed for failure to perform duties of the position. The division President shall be informed of the names of Shop Steward and he in turn shall inform the System Officers and Management. Shop Stewards shall be official representatives of the employees at the first stages of the grievance procedure.

Section 6. It shall be the duty of each Division to send a copy of all grievances and correspondence to the person the System President requests, so that all records of every kind will be on file with the System Local.

ARTICLE 22

DIVISION FINANCES

Section 1. Regulations covering expenses inaugurated by respective Division shall be met and enforced by the System Local Union.

Section 2. Initiation fees, dues and per capita to the UWUA shall be collected and paid in accordance with the rules of the System Local Union Article 14, Section 7.

Section 3. Each Division may establish a social fund which will be in addition to the Union Dues and

which shall be held by the System Local as a separate fund in trust for the proper Division.

Section 4. These funds are strictly for social activity of said Division.

Section 5. Officers will not be compensated for unexcused absences or missed meeting expenses.

ARTICLE 23
CREATION OF GEOGRAPHICAL ADMINISTRATION
AREAS

Section 1. At any time when it deems it to be necessary, the Executive Board may determine to create administration areas within the geographical area where the System Union operates, which administration areas shall operate as set forth in these by laws and as otherwise determined by the System Executive Board.

Section 2. By way of example, but not by way of limitation, the System Executive Board may determine to create one or more administration areas because of reasons of contract administration, grievance administration and/or adjustment, travel and distance considerations, or any other administrative or operational reasons determined by the System Executive Board to reasonably justify the creation of an administration area.

Section 3. If an administration area is created by the System Executive Board, the following shall apply:

- a. The divisions included in the administration area shall be as determined by the System Executive Board.
- b. The division officers in the divisions assigned to any particular administration area shall retain their division offices and no existing divisions shall be altered or eliminated.
- c. Any union members in any particular administration area who are system officers shall retain their system officer positions.

Section 4. In the creation of an administration area or areas, the System Executive Board shall determine whether or not an officer position or officer positions should be created for the purpose of dealing with the particular issues and matters arising within the area of the administration area to be created. The System Executive Board shall have the power to determine if such a position or positions should be created, it shall have the power to determine if such a position or positions should be filled by election by the membership within the particular administration area, or by appointment by the System Executive Board or the System President, or by the attachment of duties to the duties of existing system and/or division officers. Any particular determination by the System Executive Board may be altered, rescinded or changed by the System Executive Board as it may determine from time to time. If such a position or positions are created, the individuals succeeding to such a position or positions shall not become voting members of the System Executive Board, and they shall not displace existing system or division officers. If any person succeeding to such an

administrative area position is also a system or division officer, he or she shall continue to hold the division or system officer position.

Section 5. If the System Executive Board determines to create an administrative area or areas, it shall set forth by way of motion or resolution the purpose for which the said area or areas are to be created and it shall set forth the administrative and operational functions to be performed within such area or areas. While it is contemplated that such areas will be created to provide for efficient contract and grievance administration, the System Executive Board shall have the right to determine how each such area shall be administered, subject to the other terms and provisions of the Constitution and By Laws of this Local Union and of the Utility Workers Union of America, AFL-CIO, including without limitation permitting the System and Division officers within the newly created administrative area to act as a steering committee for that administrative area. However, the power of the steering committee to act shall be subject to the authority of the System Executive Board and the steering committee shall have advisory authority only as far as Union business is concerned.

Section 6. Notwithstanding anything set forth in this Article 23, the System Executive Board, in the creation of an administrative area or areas, shall not have the power to do any of the following:

- a. Alter the constitutional power of any system officer;
- b. Permit any administrative area to levy union dues, fees and assessments that are any different than the dues and assessments

- levied in any other part of the Union's jurisdiction or that are in addition to the system dues, fees and assessments;
- c. Allow or permit any administrative area to engage in financial administration or conduct that is contrary to any provision of the Constitution and By Laws of this Local Union or of the National Union;
 - d. Allow or permit any administrative area to engage in any system, division or local election practice that is contrary to any provision of the Constitution and By Laws of this Local Union or of the National Union;
 - e. Create any separate body of administration for any administrative area that is not subject to the authority of the System Executive Board or any System Officer as that authority is set forth in the Constitution and By Laws of this Local Union.
 - f. Eliminate any system or division officer position that is provided for in the Constitution and By Laws of this Local Union.

Section 7. By way of explanation, it is expected that this Local Union will, and will continue, to expand its base of membership geographically to the point where more efficient administration may be had by the creation of geographical areas of administration, and it is the intent of this Article 23 to set forth the parameters by which the System Executive Board may introduce efficient means of operation of the Local Union in light of its expanded and expanding

geographical base. Notwithstanding the creation of an administrative area or areas, it is the overriding intent of the Constitution and By Laws of this Union to cause ultimate administrative and jurisdictional operation of the Local Union to remain as it has been and to ensure uniform methods of contract and grievance administration.

ARTICLE 24 STRIKE

Section 1. No strike shall be called by the System Local Union until:

- a. All members of the System Local have been informed of a meeting (date, time and place).
- b. Approval of the membership at meeting of such strike action by a secret ballot vote after the members have been informed of the details of the contract impasse that has developed.
- c. The System Officers and Executive Board has given their approval.
- d. The National Office is notified and the National Office President has given his sanction.

Section 2. If a strike action is elected, each member is compelled to participate in picketing duty. Hours of schedule to picket and dates will be presented to each member by appointed group leaders. Any member who knowingly neglects picket duty by absence, tardiness, drunkenness not completing assigned hours or any other violation of the picket duties will be subject to trials and charges, Article (17). Members found in

violation of picket duties shall be given a written notice of violation, containing all necessary information such as name, time, date, place, and offense by their group leader.

Section 3. A Trial Committee shall be selected by the System Officers and Executive Board after the strike action is ended. This Trial Committee shall hear all cases during any strike action (separate committee not necessary for each offense or offender) and shall consist of five (5) members and five (5) alternate members. New trial committees may be selected at any time if the original members resign.

Section 4. During strike action, all vacations, holidays, and personal leave shall be cancelled. Any member desiring a release from picket duties may appeal to the Trial Committee.

Section 5. The Trial Committee shall have the authority to set amount of any fines levied for failure to picket.

Section 6. Upon receiving notification of voluntary resignation of any member of the System Local during a duly authorized strike action, the System Local shall immediately notify the Company by registered or certified mail of the member 's resignation. The resigning member shall not receive a withdrawal or transfer card until after the strike action has been completed.

In the event a resigning, member reconsiders and wishes to remain with the Company after strike action, that person can only become a member of this System

Local Union again by paying a new initiation fee and be subject to Trials and Charges, Article (17), and may face loss of all or part of their accumulated seniority.

Section 7. Members shall not be required to picket outside the jurisdiction of the System Local Union.

ARTICLE 25

PROTEST AND DEMONSTRATIONS

Section 1. Protests or demonstrations shall be completely on voluntary basis. Members to be informed of purpose and conditions through their respective Officers or Grievance Representative.

ARTICLE 26

INTENTION

Section 1. It is understood that this Constitution and By-Laws does not intend in any way or manner, nor shall it be interpreted in such a way as to conflict with the Constitution and By-Laws of the National Utility Workers Union of America, AFL-CIO.

Section 2. Any clause or section of this Constitution that conflicts with UWUA National Constitution and By-Laws shall be deemed null and void.

ARTICLE 27

INSTALLATION OF OFFICERS AND GRIEVANCE REPRESENTATIVES

The installation of System Officers shall be conducted by the System Local President or by any other Officer designated by him. Installing Officer: Brother, do you accept the office to which you have been elected?
Installing Officer: Raise your right hand and repeat after

me. I do faithfully promise that while an Officer or Grievance Representative of this System Local Union Number 537, I shall administer the duties of my position honestly, without fear or favor, will obey all the rules and regulations of this System Local Union Number 537. I will also turn over to my successor all books, papers, and other property of said System Union, that may be in my possession at the close of my official term, or to System President or Executive Board upon demand. I shall resign my office immediately upon acceptance of a supervisory position.

ARTICLE 28
ORDER OF BUSINESS OR SYSTEM EXECUTIVE BOARD

Section 1. Meeting to be opened with Pledge of Allegiance to the Flag of the United States of America.

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

I Pledge Allegiance to the Flag of the United States of America and to the Republic for which it stands, one nation, under God, indivisible, with liberty and justice for all.

Section 2. Roll Call of Officers.

Section 3. Obligation of new members.

Section 4. Reading the minutes of the previous meeting, corrections and approvals.

a. Reading of Local Executive Board Minutes.

b. Reading of Local Joint

Conference Minutes.

Section 5. Communications.

Section 6. Bills.

Section 7. Report of Committees.

Section 8. Officer's Reports.

Section 9. Treasurer's Report.

Section 10. Unfinished Business.

Section 11. Nominations.

Section 12. Installation of Officers.

Section 13. New Business.

Section 14. Good and Welfare of System Local
Union Number 537.

Section 15. Adjournment.

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the Society in all cases to which they are applicable and in which they are not inconsistent with these By-Laws and any special rules of order the System Local may adopt.

ARTICLE 29

AMENDMENTS TO BY-LAWS

Section 1. These bylaws may be amended at any regular meeting of the System Board by a two-thirds vote, provided that the amendment has been submitted in writing at the previous regular meeting.

Section 2. These bylaws may be revised only upon authorization by the System Board. The System Board shall appoint a Bylaws Committee to prepare and present such a revision when authorized.

SYSTEM OFFICERS

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AMENDMENTS