

TRANSPORT WORKERS UNION OF AMERICA, AFL-CIO

LOCAL 250-A

BY-LAWS



Revised on January 1, 2020

ARTICLE I - NAME

SECTION 1. This organization shall be known as the Transport Workers Union of America, AFL – CIO, Local 250-A.

ARTICLE II - OFFICERS

SECTION 1. The Officers of the Local shall be:

- (a) President
- (b) Executive Vice President
- (c) Financial Secretary-Treasurer
- (d) Recording Secretary
- (e) Three (3) Vice Presidents
- (f) Six (6) Executive Board Members

SECTION 2. The Union shall have nine (9) divisions:

- (a) Cable Car
- (b) Flynn
- (c) Green/MME
- (d) Islais Creek
- (e) Kirkland
- (f) Potrero
- (g) Presidio
- (h) Woods
- (i) Miscellaneous: members who are not included in any other division

Divisions may be added, by a vote of a majority of the executive board, if the employer adds a work location in an area not already covered by a current Division and there will be more than hundred (100) members in that Division.

SECTION 3. There shall be elected from each division:

- (a) Chairperson
- (b) Vice Chairperson
- (c) Secretary

SECTION 4.

- (a) The Division Chairperson's of the largest three (3) Divisions shall each, by virtue of their office, be Vice Presidents of the Local.
- (b) The Division Chairperson of the other Divisions shall each, by virtue of their office, be members of the Local Executive Board.

ARTICLE III - DUTIES

SECTION 1.

PRESIDENT

- (a) The President shall be a full-time Officer and Employee of the Local Union and shall have all of the powers and duties as provided for in the International Constitution.
- (b) The President shall appoint all committees except as otherwise provided in the By-Laws.

SECTION 2.

FINANCIAL SECRETARY-TREASURER

- (a) The Financial Secretary-Treasurer shall be a full-time Officer and Employee of the Local Union and shall perform all the duties as provided for in the International Constitution.

- (b) The Financial Secretary-Treasurer shall be required to aid and assist the President in all phases of union administration.

SECTION 3.

EXECUTIVE VICE PRESIDENT

- (a) The Executive Vice President shall be a full-time Officer and Employee of the Local Union and shall perform all the duties as provided for in the International Constitution.
- (b) The Executive Vice President shall be required to aid and assist the President in all phases of union administration.

SECTION 4.

RECORDING SECRETARY

- (a) The duties of the Recording Secretary shall be as provided for in the International Constitution. He/she is responsible for taking minutes at all meetings of the Executive Board and membership meetings.

SECTION 5.

DIVISION OFFICERS

1. The Division Chairperson shall perform such duties as the Local Union President, or the Local Executive Board may assign to them. The Chairperson shall be responsible for the proper conduct of the affairs of their Section or Division. The Chairperson shall preside at all Section or Division meetings.

2. The Vice Chairperson and Secretary shall assist the Chairperson in the discharge of the Chairperson's duties. In the absence of the Chairperson, the Vice Chairperson or the Secretary shall assume the duties of the Chairperson to such an extent as the Chairperson shall determine.
3. The Secretary shall file with the Financial Secretary-Treasurer of the Local, and keep up to date, the names, addresses, and telephone numbers of the members in their Division. The Secretary shall maintain records and files of all Union business of their Section or Division.

ARTICLE IV - EXECUTIVE BOARD

SECTION 1. The Local Executive Board shall consist of the President, Executive Vice President, Financial Secretary, Recording Secretary, three (3) Vice Presidents and six (6) other Division Chairpersons.

SECTION 2. The Local Executive Board shall have all of the powers and duties set forth in the International Constitution.

ARTICLE V - WAGES

SECTION 1. The President shall be a full-time employee of the Local and shall be paid \$2,694.80 per week.

SECTION 2. The Financial Secretary-Treasurer shall be a full-time employee of the Local and shall be paid \$2,500.00 per week.

- SECTION 3.** The Executive Vice President shall be a full-time employee of the Local and shall be paid \$2,621.20 per week.
- SECTION 4.** The Recording Secretary shall be paid \$150.00 per week by the Local, plus lost time as needed.
- SECTION 5.** The President, Financial Secretary-Treasurer, Executive Vice President, Recording Secretary, and all others performing duties assigned to them by the President or Local Executive Board in accord with their By-Laws and the TWU Constitution, shall be reimbursed for all legitimate expenses incurred in the performance of their duties, upon presentation of proof thereof, subject to the approval of the Local Executive Board.
- SECTION 6.** The President, Financial Secretary-Treasurer, Executive Vice President, and Recording Secretary shall receive raises in salary as a percentage basis equal to the percentage wage increases received by the platform employees for the same period of time.
- SECTION 7.** All sums owed to Local Union officers pursuant to Article V, Section 7 for severance pay that accrued prior to January 1, 2020 shall be paid to them by the Local in accord with the By-Laws that were in effect on January 1, 2019.
- SECTION 8.** For the period after January 1, 2020, the Local shall pay on behalf of or to each Local Officer in the full-time employ of the Local a sum designed to equal the retirement contribution that would have been made on his/her behalf by SFMTA had he/she continued to work actively for SFMTA rather than for the Local Union. If possible, this sum shall be paid directly to the Retirement Fund.

If that is not possible, the Executive Board may adopt a plan to make said payment for the affected Local Officers, which will not make it income that is taxable to the Officers. If it does not do so, the sums shall be paid to the Local Officer periodically as determined by the Local Executive Board and shall be treated as wages pursuant to both Federal and State law, with taxes deducted from the sums to be paid. Amounts to pay all obligations under this Section shall be placed on a monthly basis by the local into a special account which may be used for no other purpose.

SECTION 9. The Financial Secretary-Treasurer shall record and preserve a record of the wage increases received by the Four (4) affected Officers.

ARTICLE VI - VACANCIES

SECTION 1. In the event that a vacancy occurs in the office of the President, the Executive Vice President shall act as the President for the unexpired term.

SECTION 2. In the event that a vacancy occurs in the office of Executive Vice President, Financial Secretary-Treasurer or Recording Secretary between elections, a majority of the Local Executive Board shall appoint one of its members to fill the position for the unexpired term. If no member of the Local Executive Board accepts the vacant position, the President shall have the authority to appoint a member to serve in the position for the expired term, subject to the approval by majority vote of the Local Executive Board.

SECTION 3. In the event of a vacancy among the Local Executive Board Members (Division Chairs), the Local Executive Board shall, from among the membership of the Division with the vacancy, by majority vote, fill the vacant office for the unexpired term.

ARTICLE VII - DUES

SECTION 1. The dues for membership shall be in accordance with the International Constitution.

SECTION 2. No application for membership will be accepted unless accompanied by a signed check-off card covering the applicant's dues.

The applicant's membership shall not begin until their application has been approved by the membership committee and the Local receives the first payment pursuant to their check-off card.

SECTION 3. Delinquencies in dues and all related questions regarding a members good standing in the Union shall be dealt with in accord with Article XIII, Section 5 of the International Constitution.

SECTION 4. Membership dues are due and payable on the first working day in each calendar month, in accordance with Article XIII, Section 3 of the International Constitution.

ARTICLE VIII - MEETINGS

- SECTION 1.** The Local Executive Board shall meet at least once in each calendar month. Additional meetings may be called at the discretion of the Local President or shall be called by the President within five (5) days after the receipt of a petition signed by the majority of the members of the Local Executive Board.
- SECTION 2.** The Local Membership shall meet at least once each month on a date fixed by the Local Executive Board. Special meetings may be called on the authority of the majority of the Local Executive Board or must be called on petition of twenty percent (20%) of the membership in the Section or Division.
- SECTION 3.** Each Section or Division shall meet at least once a month on a date fixed by the members of the Section or Division. Special meetings may be called on the authority of the Local President, or of the majority of Officers of the Section or Division or must be called on petition of twenty percent (20%) of the membership in a Section or Division.
- SECTION 4.** All notices of Division or Section Division membership meetings shall list the business to be discussed. Only action taken on the agenda as posted shall be binding on the Section or Division membership.
- The meetings requirement set forth in this section shall not apply to any election as to which the Local Union, for any portion of the twelve (12) month period prior to the election, has been in a receivership imposed by the International Union.

SECTION 5. A quorum of fifty (50) members must be present at a General Membership meeting, and ten (10) members must be present at a Section or Division meeting in order to conduct the business of the Local Union or Section or the Division.

SECTION 6. Except where modified elsewhere in these By-Laws, all meetings shall be conducted in accordance with Roberts Rules of Order.

ARTICLE IX - ELECTIONS

SECTION 1. All Local Officers, Executive Board Members, and Division Officers shall be elected once every three (3) years

SECTION 2. The President, Financial Secretary-Treasurer, Executive Vice President, and Recording Secretary shall be elected by the membership-at-large.

SECTION 3. All Section or Division Officers shall be elected by the membership in their particular Section or Division.

SECTION 4. No member shall be eligible for nomination or election to any Local Office unless they shall have been in continuous good standing in the Local Union for the period of twelve (12) months immediately preceding nomination and attended at least fifty percent (50%) of the General Membership Meetings. In connection with this, the procedures of Article XV, Sections 7 and 8 of the International Constitution shall govern.

- SECTION 5.** The Local Executive Board shall appoint the Election Committee, which shall be comprised of five (5) members in good standing, none of whom shall be a candidate for any office to be filled in such election. It shall do so every three (3) years, in time for the Election Committee to conduct the election.
- SECTION 6.** The Election Committee shall oversee and supervise the Local and Division elections in accordance with the provisions of this Article IX of the By-Laws. The Election Committee shall meet promptly and adopt rules and regulations governing the nominations and elections and shall report back to a meeting of the Local Executive Board not later than the first week of October of that year.
- SECTION 7.** The Local Executive Board at such meeting shall accept, modify, or amend the rules and regulations as adopted by the Election Committee, and such rules and regulations as adopted by the Local Executive Board shall be posted promptly at the Local Union Office and all Union bulletin boards, or published in the issue of the official news of the Local Union issued immediately prior to the 31st day of October of that year.
- SECTION 8.** Nominations for any office shall be by petition only.
- SECTION 9.** Each candidate for Local Office shall require at least one hundred (100) signatures of members in good standing on their nominating petition. Each candidate for Section or Division Office shall require at least ten (10) signatures of members in good standing in their particular Section or Division on their nominating petition.

- SECTION 10.** Elections shall be held during the first two (2) weeks of December, on a day fixed by the Local Executive Board. All elected Officers shall be installed on the first meeting following their election.
- SECTION 11.** A simple plurality shall be sufficient for election, in accordance with the International Constitution. (In accordance with Article XV, Section 1 of the International Constitution.)
- SECTION 12.** Write-in votes will not be recognized or counted in any Local or Division elections.
- SECTION 13.** Any disputes arising out of the nominations or elections shall be reported to the Election Committee within fifteen (15) days of the election.
- The Election Committee shall make a full and complete report on the nominations and elections, and also shall certify the results of the elections, shall set forth a digest of each appeal made to the Election Committee and the disposition thereof, and shall report any violations of the rules and regulations governing the nominations and elections to a meeting of the Local Executive Board to be held not more than fifteen (15) days after the date of the election.
- SECTION 14.** An appeal from the certification by the Election Committee of the result of the election may be made only pursuant to Article XV, Section 8, of the International Constitution. The decision of the Local Executive Board in such case shall become and remain in effect unless and until the International Union reverses it on appeal.

SECTION 15. The Local Executive Board shall take such appropriate action as it deems proper upon any violation of the rules and regulations governing the nominations and elections reported by the Election Committee or otherwise made known to the Local Executive Board.

SECTION 16. The dates specified in the article may be modified by the Local Executive Board to deal with special circumstances.

ARTICLE X - CONVENTION DELEGATES

SECTION 1. The delegates representing the local union to the International Convention shall be the four (4) Local Officers, plus the number of delegates allotted to the Local Union that exceeds four.

The Local will hold a separate Local wide election for eligible members for the remaining convention delegate positions not more than ninety (90) days but not less than sixty (60) days prior to the convention. Alternates whom the Local chooses to send shall be selected on the same basis.

ARTICLE XI - COMMITTEES

SECTION 1. The President may appoint from the Local Executive Board or Division Officers the following committees to assist the Local Officers and report at regular intervals to the Local Executive Board:

1. COPE
2. Education
3. Newspaper / Social Media
4. Community Relations
5. Safety, Health and Welfare
6. By-Laws
7. Activities
8. Membership
9. Grievance
10. Sick & Benevolence
11. Working Women's Committee
12. Veteran's Committee

ARTICLE XII - GRIEVANCES

SECTION 1. The Division or Section Officers shall handle grievances with the Division or Section.

SECTION 2. The grievance shall be received by the Division Chairperson, who will endeavor to solve it at its source. Failing this, the President shall determine which Local Officers shall process the grievance. The Officer should act subject to the direction and advice of the Local President. In the event of further difficulty in settling the grievance, it will be submitted to the Local Executive Board for a determination regarding further action.

SECTION 3. A written record shall be kept of all grievances and how they are disposed of at the Division and Executive Board levels.

SECTION 4. No matter may be submitted to arbitration without the prior approval of the Local Executive Board.

ARTICLE XIII - OBLIGATION OF MEMBERS

SECTION 1. No member shall bypass the duly elected representative to handle another's grievance.

SECTION 2. No member shall perform their duties on the job in such manner as to place a further burden on their fellow workers, nor shall they disregard any rules adopted by the membership.

SECTION 3. No member shall take up a collection in the name of the Union or Division of the Union, regardless of its purpose, without the prior approval of the Local Executive Board. This shall not apply to collections taken by or for candidates for Local Office to defray the cost of their campaign.

SECTION 4. No member shall make known the internal affairs of the Union to non-members.

SECTION 5. If any member or group of members wishes to direct any matter to the attention of the Local Executive Board, they shall submit such request in writing to the Recording Secretary, who shall submit such request to the Local Executive Board at its next regular meeting.

ARTICLE XIV - GENERAL PROVISIONS

- SECTION 1.** The approval of the Local Executive Board shall be required before any member is granted lost time, except that during an emergency, a member may be taken off the job with the oral approval of the President or the Financial Secretary-Treasurer. The member shall be compensated only for their actual loss in pay.
- SECTION 2.** The By-Laws shall be interpreted to be consistent with the TWU Constitution, and to the extent that they conflict with or come to be conflicting with it shall be deemed invalid.

ARTICLE XV - BY-LAWS AMENDMENTS

- SECTION 1.** These By-Laws may be amended by the Local Executive Board with the approval of the majority of the members of the Local Union voting at a membership meeting, provided seven (7) days advance notice has been given to the Local Executive Board and the membership. Any amendments to these By-Laws must go through the process described in the International Constitution, Article XIV, Section 5.
- SECTION 2.** Proposed amendments may be submitted to the Local Executive Board by the membership acting through a duly called membership meeting, and with the approval of the majority of the members present at that meeting.
- SECTION 3.** Any amendment which would increase the dues, shall require approval by the majority of the members voting by secret ballot (unless the increase is caused by wage increase or to become compliant with the International Constitution).

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