

**BYLAWS FOR DISTRICT COUNCIL NO. 26
OF THE INTERNATIONAL UNION OF
PAINTERS AND ALLIED TRADES, AFL-CIO, CLC**

PREAMBLE

We, the members of District Council 26, of the International Union of Painters and Allied Trades, AFL-CIO, CLC - believing that organization and collective action is necessary to foster and adopt ways and means for the continuous improvement of the working and living standards of the members of the Locals affiliated with this International Union; to secure legislation in the interests of our members; to bring about higher wages, shorter hours and better working conditions for them; to influence public opinion by peaceful and legal methods, in favor of our affiliated organizations and all organized labor generally; to promote, encourage and bring into existence satisfactory contractual relationships with employers in the industries from which the members of our affiliates are drawn; to advance and maintain better relations between our members and their employers; and to otherwise enrich the lives of our members and their families, and all other working men and women hereby formulate and adopt these Bylaws for our guidance and government.

**Article I
BYLAWS**

1.1 These Bylaws shall be supplemental and subordinate to the provisions of the General Constitution of the International Union of Painters and Allied Trades, AFL-CIO, CLC (hereinafter called "the International" or "International Union") and such provisions shall be deemed as incorporated herein by reference. In case of conflict between these provisions and the provisions of the General Constitution, the latter shall govern.

**Article II
NAME**

2.1 This organization shall be known as District Council 26, a subordinate body of the International Union of Painters and Allied Trades, AFL-CIO, CLC.

**Article III
OBJECTS**

3.1 The objects of the District Council are to organize the unorganized, to establish central representative bodies having jurisdiction in all matters of general interest to the International Unions jurisdiction; to bring about harmony and unity between Local Unions; to establish a minimum rate of wages in the district; to enforce a code of working rules governing hours, wages, and other terms and conditions of employment; and to create a marketplace in which an atmosphere of labor/management cooperation will enhance prosperity for Union employers while, at the same time, insuring job security, safety, training and excellent wages and benefits for our members.

Article IV
JURISDICTION

4.1 The territorial jurisdiction of this District Council shall include the following Michigan counties for painting, drywall, sign and display. Alcona, Alger, Allegen, Alpena, Antrim, Baraga, Barry, Bay, Benzie, Berrien, Branch, Calhoun, Cass, Charlevoix, Cheboygan, Chippewa, Clare, Clinton, Crawford, Delta, Dickinson, Eaton, Emmet, Genesee, Gladwin, Gogebic, Grand Traverse, Gratiot, Western quarter of Hillsdale(imaginary line running from the intersecting borders of Calhoun, Jackson, and Hillsdale Counties, south to the Ohio State Line), Houghton, Huron, Ingham, Ionia, Iosco, Iron, Isabella, Kalamazoo, Kalkaska, Kent, Keweenaw, Lake, Lapeer, Leelanau, Lenawee, western half of Livingston, Luce, Mackinac, Manistee, Marquette, Mason, Mecosta, Menominee, Midland, Missaukee, Montcalm, Montmorency, Muskegon, Oceana, Ogemaw, Ontonagon, Osceola, Oscoda, Ottawa, Presque Isle, Roscommon, Saginaw, Saint Clair, Saint Joseph, Sanilac, Schoolcraft, Shiawassee, Tuscola, Van Buren, Wexford.

The territorial jurisdiction of the District Council shall include the following counties for Glazing: Alcona, Alger, Allegen, Alpena, Antrim, Baraga, Barry, Bay, Benzie, Berrien, Branch, Calhoun, Cass, Charlevoix, Cheboygan, Chippewa, Clare, Clinton, Crawford, Delta, Dickinson, Eaton, Emmet, Genesee, Gladwin, Gogebic, Grand Traverse, Gratiot, Hillsdale, Houghton, Huron, Ingham, Ionia, Iosco, Iron, Isabella, Jackson, Kalamazoo, Kalkaska, Kent, Keweenaw, Lake, Lapeer, Leelanau, Lenawee, western half of Livingston, Luce, Mackinac, Manistee, Marquette, Mason, Mecosta, Menominee, Midland, Missaukee, Montcalm, Montmorency, Muskegon, Oceana, Ogemaw, Ontonagon, Osceola, Oscoda, Ottawa, Presque Isle, Roscommon, Saginaw, Saint Joseph, Schoolcraft, Shiawassee, Tuscola, Van Buren, Wexford.

The territorial jurisdiction may be altered at any time by the General Executive Board in accordance with the General Constitution.

4.2 The work jurisdiction of the District Council shall be all work set forth in Section 6 of the International Constitution and such other work as may be obtained and maintained through organizing and collective bargaining agreements.

4.3 All Local Unions of the International Union within the territorial jurisdiction of the District Council shall come under the jurisdiction of the District Council and shall be fully affiliated with the District Council.

4.4 "Full affiliates" or "fully affiliated" means paying full per capita tax and administrative dues check-off to the District Council, enjoying full voting rights, trade recognition, receiving advice and assistance from the principal officer and all other representatives and officers of the District Council in negotiating collective bargaining agreements and adopting Bylaws, merging all fringe benefit funds, and policing jobs and enforcing contracts on a District Council-wide basis.

Article V
OFFICERS

5.1 The Officers of the District Council shall consist of a Business Manager/Secretary-Treasurer, President, Vice President, Warden and three (3)

Trustees.

5.2 The Business Manager/Secretary-Treasurer shall be the recognized head of the District Council and its principal officer. The Business Manager/Secretary-Treasurer shall have full charge of the business office(s) of the District Council and shall have authority to employ such employees and purchase and utilize such equipment and supplies as he or she deems necessary for the proper operation of said office(s); shall maintain a current list of names and addresses of all members of all affiliated Local Unions; shall be spokesperson of the District Council negotiating committees; shall have the power to direct and supervise Business Representatives in the employ of the District Council in the performance of their duties and assign them to any territory or task within the District Council irrespective of trade; shall have the power to appoint and set salaries and expenses for organizers, field representatives or other staff and direct them in the performance of their duties; shall be an automatic Trustee to any District Council Trust Funds and shall appoint all union trustees to said Trust Funds; and shall serve as a delegate to represent labor on the Joint Trade Board(s), if established by collective bargaining agreement, and appoint all other delegates to the Joint Trade Board(s).

The Business Manager/Secretary-Treasurer shall be responsible to the District Council, the affiliated Local Unions, and the General President for results in organizing the jurisdiction of the District Council, for establishing working relations with employers, and for protecting the jurisdiction of the International Union.

The Business Manager/Secretary-Treasurer is authorized to take such other action and make such other expenditures, as he or she deems appropriate to promote and protect the interests of the membership.

The Business Manager/Secretary-Treasurer shall be an automatic Trustee to any District Council Trust Fund(s) and any trust fund(s) established by Local Unions fully affiliated with the District Council and shall appoint (and have the power to remove) all Union Trustees to all such Trust Fund(s).

The Business Manager/Secretary-Treasurer shall have such other powers, duties and responsibilities as are set forth in the General Constitution and these Bylaws.

5.3 It shall be the duty of the President to preside at all meetings of the Council and conduct the meetings according to parliamentary rules, enforce a due observance of the General Constitution and these Bylaws at such meetings, decide all questions of order without debate, subject to an appeal to the meeting, and see that all Officers perform their respective duties faithfully during each meeting. The President shall sign all official documents that have been passed by the Council. The President shall not take part in any debate, nor make or second any motion while occupying the chair. The President shall not vote on any motion except in case of a tie, when he or she shall have the deciding vote. The President shall appoint all committees, except as otherwise provided in the General Constitution or other provisions in these Bylaws.

5.4 The Vice President shall assist the President in the performance of his or her duties and conduct the meetings in the President's absence.

5.5 The Warden shall take charge of the door at the meetings, and see that none but the delegates to the District Council in good standing and authorized representatives and guests, be admitted. He or she shall also act as Sergeant at Arms.

5.6 There shall be three (3) Trustees of the District Council. The Trustees shall, immediately on election, elect one Trustee as Chairperson. Trustees shall have supervision over all funds and property of the Council, subject to such instructions, as they shall receive from the Council. They shall audit all bills and receipts of the Business Manager/Secretary-Treasurer and audit the accounts of the Business Manager/Secretary-Treasurer immediately after the end of each quarter and render a report to the District Council.

5.7 Salary for the President shall be fifty dollars (\$50.00) per meeting attended. The salary for the Vice President, Trustees and Warden shall be twenty-five dollars (\$25.00) per meeting attended. Salary of the Business Manager shall be a weekly salary of not less than sixty (60) hours pay at the highest collectively bargained hourly rate set forth in the District Council area labor agreement(s) fifty-two (52) weeks per year. Benefits for the Business Manager will be those established in Sections 7.3 to 7.8

5.8 Delegates to the District Council will be paid \$ 25.00 per District Council meeting attended.

Article VI EXECUTIVE BOARD

6.1 The Executive Board shall consist of the Business Manager/Secretary-Treasurer, President, Vice President, and Trustee Chairperson of the District Council in addition to one duly elected delegate from each fully affiliated Local Union.

6.2 The Executive Board shall be vested with the authority of recommendation only, unless specifically authorized by the District Council; provided, however, that during the interim between Council meetings the Board shall be authorized to act for the District Council in cases of emergency.

6.3 The Executive Board shall meet prior to all District Council meetings and at other times as deemed necessary by the Business Manager/Secretary-Treasurer and/or President.

6.4 Seven (7) members of the Board shall constitute a quorum for the transaction of business.

Article VII BUSINESS REPRESENTATIVES

7.1 It shall be the duty of the District Council's Business Representatives to render such assistance to the Business Manager/Secretary-Treasurer as he or she may require and, under his or her direction, to carry out their assigned functions. Business Representatives shall also be subject to assignment in accordance with Section 45 of the General Constitution.

7.2 SALARIES: Business Representative shall receive a weekly salary of not less than forty-four (44) hours pay at the highest collectively bargained wage rate of their local bargaining agreement.

7.3 VACATIONS: The Business Manager/Secretary Treasurer and all Business Representatives shall receive two (2) weeks paid vacation yearly. Three (3) weeks vacation shall be allowed after ten (10) years of service from the date of District Council 26 charter.

7.4 FRINGE BENEFITS: Benefits shall include, but are not limited to Health & Welfare Insurance, Pensions, and other fringe benefits as authorized by the Delegates to the Council, upon recommendation(s) of the Business Manager. The Business Manager/Secretary-Treasurer and all full-time Business Representatives shall be provided with all benefits rates per their local union labor agreement(s).

7.5 SICK LEAVE: The Business Manager/Secretary-Treasurer and Business Representatives shall have ten (10) paid sick days per year, accumulated to a maximum of 30 days. Three (3) or more consecutive days of sick leave require a doctor's excuse.

7.6 The Business Manager/Secretary-Treasurer and Business Representatives when ill or disabled shall receive for a period of their accumulated sick days, the regular wages, and no expense. After accumulated sick days are exhausted, they shall be granted unpaid sick leave until recovered. It is not permissible to draw health fund lost time benefits and sick leave at the same time.

7.7 AUTOMOBILES: The District Council will issue the Business Manager/Secretary-Treasurer and each Business Representative a credit card to used for gasoline and routine maintenance in connection with performing their job duties. Major expenses for maintenance will be reviewed by the District Council Executive Board for reimbursement. The District Council will also pay for the cost or reasonable car insurance for their vehicle used for business, up to a maximum of \$ 1,500.00 per person, per year when a policy is carried on the vehicle with minimum liability coverage of five hundred thousand dollars (\$500,000.00) or more. In lieu of the above provision, at the discretion of the Business Manager/Secretary-Treasurer, the District Council may furnish leased/purchased vehicles and reasonable expenses incurred in their operation.

7.8 EXPENSE ALLOWANCE: When the Business Manager/Secretary-Treasurer, Business Representatives, Officers, and Delegates are assigned to represent the Council, reasonable reimbursed expenses, approved by the Business Manager/Secretary-Treasurer shall be allowed. When any employee or delegate is required to be away overnight on business of the Council, said employee or delegate will be reimbursed for actual cost of reasonable hotel rooms, meals, and use of vehicle or round trip coach fare. Receipts must be submitted before expenses will be reimbursed. Business Manager shall receive one hundred dollars (\$100.00) per week for incidental expenses and Business Representatives shall receive fifty dollars (\$50.00) per week for same.

Article VIII
DUTIES AND AUTHORITY SUBJECT TO
INTERNATIONAL UNION POLICIES

8.1 The duties of all officers, Business Representatives and employees of the District Council shall be carried out, and their authority shall be exercised, in strict accord with the General Constitution and the policies and programs established by the International Union's General Conventions, by the General President and by the General Executive Board.

Article IX
NOMINATIONS AND ELECTION OF
BUSINESS MANAGER/SECRETARY-TREASURER

9.1 The Business Manager/Secretary-Treasurer shall be elected at-large by the membership of all Local Unions affiliated with the District Council. All nominations for the office of Business Manager/Secretary-Treasurer shall be filed with the District Council at least 30 days prior to the election.

9.2 Each Local Union may nominate any number of candidates for the office of Business Manager/Secretary-Treasurer; and a nominee need not be a member of the Local Union that nominates him or her.

9.3 Candidates nominated for the office of Business Manager/Secretary-Treasurer shall be eligible members in good standing of their Local Union, meeting the requirements of Section 223 of the International Constitution.

9.4 The notice of nominations and the ballot shall note that the Business Manager/Secretary-Treasurer shall also be an automatic delegate to General Conventions, as per Section 220(b) of the International Constitution.

9.5 The term of office of the Business Manager/Secretary-Treasurer shall be three (3) years, commencing immediately upon certification of the election results by the Election Board.

Article X
NOMINATIONS AND ELECTION OF
DISTRICT COUNCIL BUSINESS REPRESENTATIVES.

10.1 One (1) full time Business Representative from each of the following Local Unions shall be elected and represent the following Local Unions 312, 826, 845. The following Local Unions will share one (1) elected Business Representative for 1011/1803, and one (1) elected Business Representative for 1052 /1474, .The Business Manager/ Secretary, Treasurer of the District Council will also act as the Business Representative for his/her Home Local Union.

10.2 The Business Manager/Secretary-Treasurer, at his or her sole discretion, shall be permitted to reduce or increase the number of Business Representatives and organizers as financial conditions of the District Council may dictate.

10.3 The Business Representatives shall be elected at-large by the membership of all

Local Unions fully affiliated with the District Council.

10.4 Fully affiliated Local Unions entitled to Business Representative(s) under the above Section 10.1 shall nominate candidates for Business Representative(s) from among their respective eligible members. The Business Representative nominees must be eligible members in good standing of their Local Union, meeting the requirements of Section 223 of the International Constitution.

10.5. The term of office for the position of Business Representative(s) shall be three (3) years and shall run concurrently with the term of office of the Business Manager/Secretary-Treasurer.

10.6 The Business Representatives shall be automatic delegates to the District Council pursuant to Section 220(c) of the International Constitution. The notice of nominations and the ballot shall note that the Business Representative(s) shall also be an automatic delegate to the District Council.

Article XI

ELECTION BOARD: ELECTION PROCEDURES

11.1 The President of the District Council shall appoint an Election Board from among the regular delegates. This Board shall supervise the election of Business Manager/Secretary-Treasurer and Business Representatives in accordance with these Bylaws and in accordance with the General Constitution's election provisions. The Board shall draft rules governing the election. The President shall also be permitted to appoint assistants from the membership of the Council to help the Board conduct the election.

11.2 The Election Board and assistants shall receive compensation in the amounts established by the delegates of the District Council.

11.3 The election of the Business Manager/Secretary-Treasurer and Business Representative(s) employed by the District Council shall take place in June of each election year. Nominations shall take place in the Local Unions' last meeting in May. Notice of the Local Unions' nomination meetings, and the election meeting, shall be given by the Business Manager/Secretary-Treasurer by mail posted to the last known home address of all members at least five (5) days prior to the nomination dates and at least fifteen (15) days prior to the election date. On the date of election, secret ballots shall be cast during the times and at the locations established by the election board and each candidate may designate one election observer to remain in the polling place or places. No other persons shall be allowed to remain in the polling place except members of the Election Board and the Board's assistants.

11.4 At the polling place, the Financial Secretary of each affiliated Local Union shall verify that each of its members who votes is in good standing.

11.5 The Election Board shall have ballots with numbered tear-off stubs and with the names of candidates printed alphabetically along with their Local Union number. Candidates for Business Manager/Secretary-Treasurer, Business Representatives representing Mixed Local Unions, and Business Representatives for each Allied

Trades Local Union entitled to a Business Representative under Section 10.1, respectively, shall be separately grouped and listed on each ballot. Each ballot shall clearly state the number of candidates to be voted for within each grouping.

11.6 The candidates receiving the highest number of votes in each grouping shall be officially certified by the Election Board as having been elected to the offices of Business Manager/Secretary-Treasurer and Business Representatives.

11.7 The Election Board shall tabulate the vote as cast and shall immediately submit a report thereon to the District Council.

11.8 To be entitled to nominate and elect the Business Manager/ Secretary-Treasurer and Business Representatives, each affiliated Local Union is required to be current in its payment of per capita tax to the International Union and the District Council.

Article XII VACANCIES

12.1 In the event a vacancy occurs in the position of Business Representative, the vacancy shall be filled in accordance with Section 227 of the International Constitution. In the event a vacancy occurs in the office of Business Manager/Secretary-Treasurer or other offices, the vacancy shall be filled in accordance with Sections 227 of the International Constitution.

Article XIII NOMINATION AND ELECTION OF AFFILIATED LOCAL UNIONS OFFICERS AND DELEGATES

13.1 The nomination and election of Local Officers, Executive Board members and delegates to central bodies, Building Trades Councils and this District Council shall be held in accordance with Sections 180 through 183 of the International Constitution.

13.2 Each Local Union shall be entitled to elect two (2) Delegates to the District Council for membership in good standing of 100 or less members. Each Local Union shall be entitled to one (1) additional delegate for each additional 50 members or majority there of.

13.3 To be entitled to elect delegates, each affiliated Local Union is required to be current in its payment of per capita tax to the International Union and the District Council.

13.4 The eligibility and election of delegates shall be as set forth in Sections 149 and 150 of the General Constitution. Credentials for elected delegates must be forwarded by Local Unions to the District Council. Each delegate shall be entitled to one vote at District Council meetings.

Article XIV NOMINATION AND ELECTION OF PRESIDENT, VICE PRESIDENT, TRUSTEES, WARDEN, AND DELEGATE MEMBERS OF THE EXECUTIVE BOARD

14.1 The President, Vice President, Trustees, Warden, and delegate members of the

Executive Board shall be nominated, and elected by secret ballot, by the delegates of the District Council within thirty (30) days after the general District Council elections every three (3) years. The term of each office shall be three (3) years.

Article XV FINANCES

Alternative Dues Collection and Membership Reporting Plan

15.1 This Article 15.1 is adopted pursuant to the Alternative Dues Collection and Membership Reporting Plan (“the Plan”) promulgated by the General Secretary-Treasurer pursuant to Section 55(c) of the International Constitution. In accordance with the Plan, this Article shall apply to, and govern, any affiliated Local Union which has adopted it pursuant to its Local Union Bylaws. All funds received and disbursed pursuant to this Article (whether on behalf of the District Council or participating Local Unions) shall be subject to all audit procedures applicable to the District Council under the International Constitution and/or these Bylaws.

COLLECTION OF LOCAL UNION DUES AND MAINTENANCE OF LOCAL UNION MEMBERSHIP RECORDS

(a) All administrative processing fees, dues and assessments payable to Local Unions by applicants and members of all Local Unions affiliated with the District Council shall be collected and received by the Business Manager/Secretary-Treasurer of the District Council. Upon receipt of any payment, the Business Manager/Secretary-Treasurer shall issue a receipt for the same to the applicant or member, and shall record the receipt in an account for the applicable Local Union and in the individual member’s ledger for each member.

(b) At the end of each month, the Business Manager/Secretary-Treasurer shall deduct from the dues received for each affiliated Local Union (i) the per capita tax payable to the International Union, (ii) the per capita tax payable to the District Council, (iii) any monies due from the Local Union to any other IUPAT affiliated entity.

(c) As soon as possible, but no later than ten (10) days after the end of each quarter, the Business Manager/Secretary-Treasurer shall transmit (i) the monies due from each Local Union to the International Union, the District Council and any other appropriate entity, and (ii) the District Council shall remit a set amount per member per month to the Local Union with the balance, if any, being retained by the District Council to offset the expense of the District Council in administering this Article.

(d) The per capita payment to the International Union shall be directed to the General Secretary-Treasurer and shall be accompanied by all Local Union reports required by the General Secretary-Treasurer, including the Monthly Activity Report required by Section 165(b) of the General Constitution and the Local Union Activity Report required by 165 (e) and Section 166 (b) of the General Constitution.

(e) Each Local Union Financial Secretary shall receive copies of all reports required to be made to the General Secretary-Treasurer, and a detailed report stating (i) the total receipts collected on behalf of the Local Union in the prior month, (ii) the overall membership of the Local Union, with gain or loss of membership noted, the number and names of members on application and those initiated, the number and names of members suspended and reinstated, and the names and number of clearance cards deposited and issued, (iii) a correct account of each member’s financial standing together with the member’s full name and address, social security and telephone number, date of birth and date of initiation.

(f) In order to fully and properly carry out his or her responsibilities under this

Section the Business Manager/Secretary-Treasurer shall have authority to establish a procedure (i) for collection of dues by mail or other appropriate means and (ii) for reporting changes of member's addresses and contact information by mail or other appropriate means. Such system may authorize the Local Union Financial Secretary to receive dues payments and membership information from members, provided that such system requires that all dues received by the Financial Secretary shall be transmitted to the Business Manager/Secretary-Treasurer within 5 days, and further provided that when the Financial Secretary receives dues payments from members he or she must provide the member with a temporary receipt, (such receipt shall indicate the date and amount received only, and shall not indicate dues status, that information will be reflected on the official receipt from the District Council) a copy of which shall be transmitted to the Business Manager/Secretary-Treasurer with the payment and a copy of which shall be retained by the Financial Secretary.

(g) In carrying out his or her responsibilities under this Section, the Business Manager/Secretary-Treasurer shall be subject to and shall comply with all the provisions of the International Constitution, including but not limited to Sections 165 through 171, governing the duties of Local Union Financial Secretaries and Treasurers

(h) The Business Manager/Secretary-Treasurer's duties shall include the filing of Life Membership Applications, Death Benefit Claims, Armed Services Cards, Clearance Cards, Beneficiary Cards, etc. The Business Manager/Secretary-Treasurer shall also be responsible for the preparation of Local Union LM and 990 forms and filing same. The Business Manager/Secretary-Treasurer shall secure the signatures of the proper Local Union officers on the LM or 990 forms, after presenting those officers with all supporting documentation for these reports.

(i) The Business Manager/Secretary-Treasurer shall also perform the functions of the Local Union Treasurer, under Section 171 of the International Constitution, and shall provide the Treasurer with such reports as are called for in the affiliated Local Union bylaws for the Treasurer to report out at Local Union meetings. In carrying out these responsibilities, the Business Manager/Secretary-Treasurer shall be authorized to establish a bank account in the name of each participating Local Union (or move existing Local Union accounts), provided that no disbursement from such account shall be made without the sanction of the Local Union and the required signatures of the appropriate Local Union officers on the checks.

(j) Notwithstanding anything to the contrary in this Article, the Business Manager/Secretary-Treasurer and all other officers of the District Council and all participating Local Unions shall comply with all provisions of the Plan, as amended from time to time by the General Secretary-Treasurer.

15.3 Administrative Processing Fees.

(a). Administrative Processing Fees shall be in the amount(s) set forth in Section 93 and 94 of the International Constitution. The Administrative Processing Fees may be waived or reduced by the District Council in connection with the organization of unorganized employees, or otherwise in special circumstances, with the prior approval of the General Executive Board.

(b) Monthly administrative dues are hereby established in the amount of 5 Percent (5%) of the gross taxable pay for work performed within all counties of the District Council's jurisdictional area.

(c) When a member works outside the jurisdiction of this District Council and

within the jurisdiction of another Local Union or District Council affiliated with the International Union, and the Bylaws of that other Local Union or District Council make provision for administrative dues, or a Business Manager "assessment" (in the nature of dues), the member shall pay to that other Local Union or District Council, either directly or by check-off, the amount of administrative dues, or Business Manager "assessment" called for by that other organization's Bylaws.

When a member works outside the jurisdiction of this District Council and within the jurisdiction of another Local Union or District Council affiliated with the International Union, and the Bylaws of that other Local Union or District Council make no provision for administrative dues, or a Business Manager "assessment" the member shall continue to pay to this District Council, either directly or by check-off, the amount of administrative dues provided in the first sentence of this sub-section.

d) Assessments may be levied in accordance with Section 133 of the General Constitution.

15.4 The finances of the District Council shall be maintained, and appropriations of District Council funds shall be made, in accordance with Sections 202 through 208 of the International Constitution. All funds of the District Council shall be audited at least once annually by a certified public accountant; and copies of the audit report shall be submitted to the District Council delegates, each affiliated Local Union, and the International Union.

15.5 The Business Manager/Secretary-Treasurer is authorized and directed to pay, each month, to the International Union of Painters and Allied Trades Political Action Together – Legislative and Education Committee Fund, \$.05 per hour worked of all monies received that month as administrative dues. In addition the Business Manager/Secretary Treasurer is authorized and directed to pay, each month, \$1.00 per member per month for each member not paying or covered by administrative dues. This section shall constitute a continuing and regular appropriation of District Council funds.

15.6 Members that work less than 39 hours in any given will be required to pay a monthly dues assessment of \$ 25.00 for that month. The hours will be verified by the employer's monthly remittance report.

15.7 All Members (Regular/Apprentice/Industrial)- Members that work less than 39 hours within the jurisdiction of District Council 26 in any given month will be required to pay a monthly dues assessment of \$25.00 for that month. Members working outside of the jurisdiction of District Council 26 and no dues check-off is received by District Council 26 will be required to pay a monthly dues assessment of \$ 25.00 for that month. The hours will be verified by the employer's monthly remittance report in accordance with Section 15.6 of the District Council 26 Bylaws.

15.8 Members unable to work due to illness or injury will not be required to pay monthly dues for a period not to exceed one (1) year, providing they furnish the District Council Financial Office with a Doctor's Statement stating duration of the disability and that they are unable to work.

15.9 Each Local Union affiliating with this District Council shall retain 10% of its local

union treasury plus the equivalent of one (1) month per capita tax to the International Union of Painters and Allied Trades. All remaining monies, real estate and assets shall be turned over to the District Council upon affiliation.

Article XVI MEMBERSHIP

16.1 An applicant shall be considered a member upon meeting all requirements set forth in Sections 85-92 of the General Constitution.

16.2 A member may lose his or her good standing in the organization by suspension or expulsion or other disqualification from membership after appropriate proceedings consistent with provisions of these Bylaws and the General Constitution, or by nonpayment of regular or administrative dues as provided by the General Constitution. A member who loses his or her good standing because of a failure to pay dues or other obligations as required by the General Constitution and these Bylaws may reinstate his or her good standing for the purpose of attending Local Union meetings and voting at elections by payment of all delinquent dues and other financial obligations prior to such meetings and elections as provided by the General Constitution. Expelled members may be reinstated only in accordance with the General Constitution.

16.3 Every member, by virtue of the member's membership in a Local Union affiliated with the District Council, authorizes the District Council to act as his or her exclusive bargaining representative with full and exclusive power to execute agreements with the member's employer governing terms and conditions of employment and to act for the member and have final authority in representing, processing and adjusting any grievance, difficulty or dispute arising under any collective bargaining agreement, or out of his or her employment with such employer in such manner as it deems within its discretion to be in the best interests of the District Council. The District Council Officers, Business Representatives and agents may decline to process any grievance, complaint or dispute if, in their sole discretion and judgment, such grievance, complaint or dispute lacks merit.

16.4 Every member, by virtue of his or her membership in a Local Union affiliated with the District Council, is obligated to adhere to and follow the terms of these Bylaws, the Bylaws of their Local Union and the provisions of the General Constitution with respect to their rights, duties, privileges and immunities. Each member shall faithfully carry out such duties and obligations and shall not interfere with the rights of other members.

16.5 No member shall interfere with the elected officers or authorized representatives of this organization, the International Union or its subordinate bodies, in the performance of their duties, and each member shall, when requested, render such assistance and support in the performance of such duties as may be required of them, provided this does not interfere with the individual's right as a member. Each member shall adhere to the terms and conditions of pertinent collective bargaining agreements and shall refrain from conduct that would interfere with the performance by the International Union, its subordinate bodies, or the District Council of its legal, contractual, and Constitutional obligations.

16.6 Every member shall be required to assist the International Union, its subordinate bodies, the District Council and its officers by engaging in picketing, hand billing, salting and other organizing activities, and attending education and training seminars, as directed and assigned by the International Union, the District Council's Executive Board, Business Manager or Business Representative. No charges shall be filed or processed against any member for his or her decision to accept employment with an approved, targeted non-signatory employer for the purpose of organizing.

16.7 It shall be the responsibility of each member to faithfully support and assist in picketing and/or organizing campaign when called upon by the District Council. Participation in picketing, hand billing, salting and other organizing campaigns as directed by the District Council shall be obligatory. All active members will be required to perform at least two days of concerted organizing activity annually. Working members who fail to participate when requested shall be assessed the equivalent of one days wages for each day he or she fails to report for duty. This assessment shall be used to defray the expenses of organizing and shall not be used for any other purpose.

Article XVII
QUARTERLY WORKING CARDS AND
WORK REFERRALS

17.1 Quarterly working cards, or photo I.D.'s shall be issued by the District Council.

17.2 In order to properly identify members of the District Council, identification cards may be issued to its members. The identification card may include the members' picture and social security number, The District Councils Financial Office number and other information as designated by the Council.

17.3 It shall be the duty of all members to carry their I.D. cards at all times. Failure to comply may subject the member to charges, trial and such penalties as the District Council may decide.

17.4 All members must show their I.D. cards and/or work referrals when requested to do so by a member of any Local Union affiliated with the District Council, provided the requesting member displays his or her card. The member shall be required to show his or her I.D.card and/or work referral when requested to do so by an authorized representative of the District Council, provided the representative displays his or her card.

When a representative of another affiliate of the IUPAT requests to see a member of DC 26's working card, they shall be instructed to call the District Council 26 financial Office for verification.

Article XVIII
MEETINGS

18.1 Regular meetings of the District Council shall be held monthly. The regular meetings of the District Council shall be held on the Second Saturday of each month. Meetings shall be opened at 1:00 p.m. promptly and shall be held at location designated by the Executive Board.

18.2 A quorum shall consist of four (4) of the affiliated Local Unions having representation at the meeting.

18.3 Special meetings may be called by the Business Manager/Secretary-Treasurer and President acting jointly, or upon written request of delegates representing at least five (5) of the affiliated Local Unions provided that notice of date, time and place of such meetings is given to all delegates of all affiliated Local Unions at least 48 hours in advance of the meeting.

18.4 Only duly elected and credentialed delegates and representatives of the Council may attend Council meetings, unless invited or granted permission by the body. The Business Manager/Secretary-Treasurer shall keep a roll call record book to record the presence or absence of all credentialed delegates and Officers of the Council at meetings. The seat of any delegate or Officer that is absent from three (3) consecutive meetings without reasonable excuse shall be declared vacant and the vacancy shall be filled in accordance with these Bylaws.

18.5 The Business Manager/Secretary-Treasurer shall take and maintain accurate minutes and forward the same to all affiliated Local Unions and delegates to the District Council. A copy of the minutes shall be sent to the International Union.

18.6 Meetings of the District Council shall be conducted and governed by the "Order of Business" and the "Parliamentary Rules and Rituals" set out in the General Constitution.

Article XIX WORK RULES

19.1 All new members of this District Council must attend a new member orientation class offered by the District Council within 90 days of being initiated.

19.2 All apprentice members of this District Council shall serve 2 days annually as District Council activists. These days will not conflict with days worked under an IUPAT collective bargaining agreement. The activities must be sanctioned and supervised by the District Council. Activities may include, but not be limited to, Organizing, PATCH fundraising, Political Member Mobilization and Community Outreach. Activist days will not count towards required apprenticeship classroom training. These activist days are in addition to any duty associated with obligatory organizing activity called for by these bylaws for all members.

Article XX STEWARDS

20.1 Shop and job stewards shall be appointed by the Business Manager/Secretary-Treasurer or his or her designee.

20.2 Stewards are charged with the responsibility of notifying the Business Manager/Secretary-Treasurer or his/her designee of any potential violations of International Constitution, these Bylaws, and/or the collective bargaining agreement.

20.3 It shall be the duty of the shop and job stewards to see that all persons have their working cards, and to contact the District Council immediately if there should be any irregularity.

20.4 All members serving as stewards shall be responsible for attending union meetings and assisting the District Council in activities including, but not limited to, Organizing, Political Member Mobilization, PATCH Fundraising, and Community Outreach.

Article XXI TRIALS AND APPEALS

21.1 The Executive Board of the District Council shall conduct all Trials of members of the International Union in this District Council who are formally charged with violations of the Constitution of the International Union, violations of the Working Rules, current Collective Bargaining Agreements or Bylaws of the District Council.

21.2 The Executive Board shall be governed in both Trials and Appeals by the procedure outlined in the applicable sections of the International Constitution of the International Union.

21.3 In the application of all rules and procedures relating to District Council discipline the essential requirements of due process of law - notice, hearing, and judgment based upon the evidence - shall be observed without, however, requiring technical formality followed in courts of law.

21.4 The requirements of the General Constitution and of fairness and due process will be attained by substantial adherence to the following:

(a) Charges must be filed within a reasonable time as specified in Section 285 of the International Constitution.

(b) Copies of all charges together with the notice of hearing shall be submitted in writing by Registered or Certified Mail to the last known address of the person charged at least fourteen (14) days prior to any trial or hearing.

(c) Details of the conduct or activity charged shall be described in the charges, giving dates, places and persons involved where possible.

(d) The Trial Board shall not include among its members any person who is in the role of an accuser.

(e) Either verbatim minutes, stenographic transcripts, or accurate summaries of the evidence shall be kept.

(f) The accused shall have the right to confront and cross-examine witnesses giving testimony against him or her.

(g) The Trial Board shall give to the accused full opportunity to make his or her defense and to produce testimony or documentary evidence for that purpose.

(h) The decision of a Trial Board shall recite the facts, which it finds to be true, and shall also set forth the basis for the decision reached.

(i) All documents in the proceedings, as well as summaries of evidence or stenographic minutes, shall be preserved and kept available for use in further proceedings in the District Council.

(j) Every accusation must be supported by proof, even though the accused does not appear.

21.5 Any Officer or member who commits any offense enumerated in the General Constitution shall be given an impartial trial, and if found guilty, shall be subject to penalties.

21.6 Any Business Representative or Business Manager/Secretary-Treasurer of the District Council who is alleged to have violated the Constitution of the International Union, or these Bylaws, or who is alleged to have been negligent in the performance of his or her duties, may be subject to trial by the District Council. Such charges must be made in writing and signed by the complainant. If after an impartial trial, the accused is found guilty, he or she shall be subject to penalties as set forth in the International Constitution. If the accused is not satisfied with the result of the trial, an appeal may be made to the General Executive Board of the International Union.

21.7 All Appeals from the District Council Executive Board, acting as Trial Board, must be made directly to the General Executive Board of the International Union, in accordance with Sections 301 & 302 of the International Constitution.

Article XXII BONDS

22.1 Officers of the District Council and its affiliated Local Unions shall be bonded in accordance with Section 209 of the International Constitution.

Article XXIII STRIKES

23.1 Procedures regarding Strikes and Lockouts shall be handled in accordance with Sections 270 through 274 of the International Constitution.

Article XXIV PROPERTY

24.1 The funds and property of the District Council shall be governed by Sections 198 through 201 of the International Constitution.

Article XXV AGENCY

25.1 Neither the District Council, nor any of its Officers or employees, has any power to make any representation, contract, or agreement, nor to incur any liability, which shall be binding upon the International Union without the expressed written consent of the General President or his designee. Neither the District Council, nor any of its

Officers or employees, has been authorized or empowered to act as agent of the International Union and shall not be deemed an agent of the International Union unless expressly authorized in writing by the General President or his designee.

**Article XXVI
AMENDMENTS**

26.1 All Bylaws amendments shall be processed, voted upon, and adopted in accordance with, and subject to, the provisions set forth in Section 194 of the International Constitution.

**Article XXVII
STANDING COMMITTEES**

27.1 The Business Manager/Secretary-Treasurer shall appoint from among the members of all affiliated Local Unions the following standing committees:

- a. Bylaws Committee.
- b. Organizing Committee.
- c. Political Action Committee.
- d. Building Committee
- e. Retirees Committee

**Article XXVIII
SAVINGS CLAUSE**

28.1 The provisions of these Bylaws relating to the payment of dues, assessments, fines or penalties, shall not be construed as incorporating into any union-security contract those requirements for good standing membership, which may be in violation of applicable law, nor shall they be construed as requiring any employer to violate any applicable law. However, all financial obligations imposed by or under the International Constitution and these District Council Bylaws (and in conformity therewith) shall be legal obligations of the members upon whom imposed, and enforceable in a court of law.

28.2 If any provision of these Bylaws shall be declared invalid or inoperative by a competent authority of the executive, judicial or administrative branch of the federal, state, or provincial government, the Executive Board, subject to approval of the District Council, shall have the authority to suspend the operation of such provision during the period of its invalidity and to substitute in its place a provision which will meet the objections to its validity and which will be in accord with the intent and purpose of the invalid provision. If any article or section of these Bylaws should be held invalid by operation of law or by any tribunal of competent jurisdiction, the remainder of these Bylaws or the application of such article or section to person or circumstances other than those as to which it has been held invalid, shall not be affected thereby.

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INTERNATIONAL UNION
OF
PAINTERS
AND
ALLIED TRADES

District Council 26 Bylaws
01 June 2005

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