

B Y L A W S

OF

UNITE HERE

LOCAL 17

MINNEAPOLIS AND
ST. PAUL, MINNESOTA

Effective November 1, 2013

**ARTICLE I
NAME AND OBJECT**

Section 1. This organization shall be known as UNITE HERE Local 17 of Minneapolis and St. Paul, Minnesota, affiliated with UNITE HERE International Union.

Section 2. The purpose of this organization shall be to organize all persons within its jurisdiction; to establish and maintain equitable wage scales and working conditions; to elevate moral, social and intellectual standing of its members; to guard their financial interests; to promote their general welfare and the Local's cardinal principles of truth, justice and morality; to secure employment for its members and to uphold the dignity of labor; and to assist employees in the hotel, motel, restaurant, airline catering, food service catering, sports arena vending and concessions, racing, gaming and all other related industries falling under the jurisdiction of the UNITE HERE International Union.

**ARTICLE II
MEMBERSHIP**

Section 1. Membership of this organization shall consist of an unlimited number of workers in the hotel, motel, restaurant, airline catering, sports arena vending and concessions, racing, gaming and all other related industries, who agree to abide by the by-laws of this Local and the Constitution of the UNITE HERE International Union, as presently in effect or as hereafter amended.

Section 2. Acquiring Membership. A person eligible for membership and working within the jurisdiction of this Local Union, making application for membership, shall become a member of this Local and the International Union upon receipt of the membership application and the dues and fees which may be required.

Section 3. Passive Membership. Any person who is a manager, owner or proprietor or any person who is employed outside the jurisdiction of this Local Union and not employed in the jurisdiction of this Local Union may be accepted for or hold membership in this Local Union only as a passive member, provided such person maintains no affiliation with a proprietors' organization hostile to this Union.

(a) Passive members shall not be entitled to voice or vote or to attend meetings of the Local Union. They shall be ineligible for election to any office in this Local Union or for any position as a delegate representing the Local Union.

(b) Passive membership is hereby declared a privilege, revocable at will by the Executive Board of the Local Union or by the International President.

(c) Any member desiring to change his/her membership status from active to passive or passive to active must appear before the Executive Board of the Local Union and such change in status can only be granted upon the approval of the Executive Board.

Section 4. General Membership. The term "general membership" as used in these by-laws shall mean all members in good standing of Local 17. A decision of the general membership shall require a majority of those voting. The general membership shall be the supreme authority of the Local Union in the following respects:

- a) It shall have the power and the authority to adopt or amend the by-laws, rules and regulations.
- b) It shall elect all Officers of the Local Union.
- c) It shall vote on the dues and assessments or service fees for the members of Local 17 subject to the provisions of the UNITE HERE Constitution.
- d) It shall receive and act upon reports from the President of the Local Union.
- e) It shall approve, upon recommendation of the Executive Board, all expenditures paid from the treasury of the Local Union.

Section 5. Good Standing. Members who are less than two months behind with their dues shall be considered to be in good standing. Members on an extended leave of absence shall remit his/her dues at the rate established by the general membership on or before the last day of the current month in which they are due. Any member two (2) months arrears in dues shall be considered automatically suspended from membership.

Section 6. No Discrimination. There shall be no discrimination against any member, or applicant for membership for reasons of race, creed, color, religion, gender, sexual orientation, marital status, national origin, citizenship status, documented status, ancestry, age, disability or political persuasion.

Section 7. Member Duties. Members shall be expected to attend all meetings when possible, take an active interest in the affairs of the union, work to build the strength of the union, honor all union picket lines, help organize the unorganized and uphold the principles of trade unionism.

ARTICLE III MEETINGS

Section 1. Meeting Schedule. The regular membership meetings of this Local Union shall be held on the third Wednesday of the even numbered months. The Executive Board shall set the meeting times and locations. The membership shall be appropriately notified of the meeting schedule. All membership meetings of this Local Union shall be held in accordance with Roberts Rules of Order.

Section 2. Special Meetings. Special meetings may be called by the President, by majority vote of the Executive Board, upon the written request of 300 members in good standing, or by vote of the Union. In any case, all members shall be notified of such meeting by the Financial Secretary-Treasurer. No business shall be transacted other than that for which the meeting is called.

Section 3. Quorum. Fifteen (15) members, including one qualified to preside, shall constitute a quorum for the transaction of all business.

Section 4. Members shall be expected to attend all meetings when possible and to take an active interest in the affairs of the Union.

ARTICLE IV OFFICERS

Section 1. Officers. Officers of this Local Union shall be the President, Senior Vice President, the Financial-Secretary Treasurer, the Vice President and three trustees. The seven officers and four additional Executive Board members at large shall constitute the Executive Board of the Local Union.

Section 2. Any officer or employee of this Local entitled to a vacation shall be required to take such vacation within two years after becoming entitled to same. If such officer or employee fails to take such vacation, he/she shall be deemed to have waived the right to same.

Section 3. An officer or Executive Board member shall not be absent from two (2) consecutive Executive Board meetings, unless excused because of illness, working schedule or other justifiable reason. An officer or Executive Board member found to have violated this provision pursuant to a decision on charges filed on under these Bylaws, Article 11, may be removed from office.

Section 4. An officer or Executive Board member shall not be absent from fifty percent of the membership meetings in one year, unless excused because of illness, working schedule or other justifiable reason. An officer or Executive Board member found to have violated this provision pursuant to a decision on charges filed on under these Bylaws, Article 11, may be removed from office.

ARTICLE V NOMINATION AND ELECTION

Section 1. The election of officers shall be held by secret ballot in the month of October, 2005 and every three years thereafter among the members in good standing in this Local Union. No write-in votes shall be permitted. The election shall be conducted at a location or locations designated by the Election Committee.

Section 2. A reasonable opportunity shall be given to the members to nominate candidates for office. Nominations of officers shall be received in the month of September, 2005, and every three years thereafter.

Section 3. In order to be eligible to be nominated for office, a member must meet the following criteria:

(a) have been an active member in continuous good standing for a period of 24 calendar months immediately preceding nominations.

(b) No member may be eligible to be nominated to any office in this Local Union unless he/she is employed or available for employment in the jurisdiction of this Local Union or is an officer or employee of this Local Union or the International Union.

(c) In order for any member to be eligible to be nominated for office in this Local Union, he/she must be present at the nominating meeting or must have submitted a written statement to the Financial Secretary-Treasurer prior to the opening of nominations, indicating his/her willingness to accept the nomination if his/her name is proposed.

(d) No member may be nominated for more than one office.

(e) Retired members are eligible to run for or hold non-salaried office only, and may hold office until the second anniversary of their last employment within the Local Union's jurisdiction.

Section 4. The Financial Secretary-Treasurer, not less than 15 days prior to the date of nominations, shall mail to each member in good standing to his/her last known home address a notice of the offices to be filled and the time, date, place and manner of submitting nominations, as well as the time, date and place of the election. The notice shall bear the signatures of the President and the Financial Secretary-Treasurer.

Section 5. An Election Committee of five, the majority appointed by the President and the minority appointed by the Vice President, shall take charge of the election and provide safeguards to ensure a fair election. No candidate for office or any officer serving out his/her term of office shall be eligible to serve on the Election Committee. The Election Committee shall pass on the eligibility of all candidates and their decision shall be subject to appeal in accordance with the International Constitution, Article 12. The Election Committee shall conduct the election in accordance with guidelines promulgated by the International President pursuant to the International Constitution.

Section 6. Any candidate shall have the right to have an observer at the polls and at the counting of the ballots. All observers must be active members in good standing in this Local Union.

Section 7. The votes cast by members of this Local Union shall be counted and the results for each office shall be announced and published separately. The Financial Secretary-Treasurer shall preserve for one year the ballots and all other records pertaining to the election, or as required by law.

Section 8. The installation of all officers-elect shall take place not later than October 31st of the election year. Officers elect shall attend the installation meeting, unless ill or in possession of some other justifiable reason. An officer elect found to have violated this provision pursuant to a decision on charges filed on under these Bylaws, Article 11, may be prohibited from assuming office.

ARTICLE VI VACANCIES

Section 1. Vacancies in any office shall be filled for the unexpired term by appointment of the President, subject to the approval of the Executive Board.

Section 2. In the event of a vacancy in the office of President, such vacancy shall be filled for the unexpired term by appointment of the Executive Board, subject to approval by the membership.

ARTICLE VII RESIGNATIONS

Section 1. Officers, with the exception of bonded officers, shall have the privilege of resigning at any regular membership meeting, provided no charges are pending against them and their resignations are submitted in writing.

Section 2. A bonded officer shall present his resignation in writing at least one membership meeting before it is acted upon. If the Board of Trustees reports that the financial accounts of the Local Union are in proper order and there are no charges pending, the resignation may be accepted.

ARTICLE VIII DELEGATES

Section 1. Where permitted, delegates to all bodies with which the Local Union votes to affiliate shall be appointed by the President, subject to approval of the Executive Board and ratification by the membership.

Section 2. Delegates to the International Convention may be nominated and elected at the same time as the regular nomination and election of officers is held if there is an International Convention scheduled during that term of office. In any event, delegates to the International Convention shall be elected not less than 90 days prior to the date of the Convention.

Section 3. The procedures and requirements, including the notice pertaining to the nomination and election of officers as set forth in these by-laws, shall (where necessary) apply equally to the nomination and election of delegates to the International Convention.

ARTICLE IX DUTIES OF OFFICERS

Section 1. President. The President shall be the Principal Officer of the Local Union. He/she shall be a full time salaried officer. He/she shall perform the following duties:

- (a) He/she shall preside at all regular and special meetings and at all meetings of the Executive Board. He/she shall have the authority to call special meetings of the Executive Board. He/she shall take such action as he/she deems necessary to preserve order and decorum.
- (b) He/she shall appoint the majority of all committees. He/she shall be a member ex officio of all committees, except trial and election committees.
- (c) He/she shall approve all expenditures of Union funds in compliance with these by-laws and shall sign all checks for payment of such expenditure.
- (d) He/she shall, by virtue of office, be a delegate to the International Union Convention and a delegate to all other bodies with which the Local Union affiliates.
- (e) He/she shall make a monthly report to the Executive Board regarding the status of the Local Union.
- (f) He/she shall make a bi-monthly report to the General Membership regarding the status of the Local Union.
- (g) He/she shall be the official representative of the Local Union in all collective bargaining with employers for wages and working conditions. He/she shall serve as the chairperson of all negotiating committees. He/she may delegate this authority to a representative of the Local Union, who shall act under the President's direction and supervision.
- (h) He/she shall recommend the employment or termination of business agents, organizers or other employees needed by the Local Union.
- (i) He/she shall assign tasks and direct the organizational work of all staff members. The President shall make every effort to enlarge the membership of the Union.

(j) He/she shall visit or cause to be visited under his/her direction and supervise all establishments under contract with this Local Union. He/she shall endeavor to maintain congenial relations between employers and members of the Union and to obtain employment for all job applicants.

(k) He/she shall be the official representative of the Union in the community, in the media and at meetings, conferences or conventions of organizations that the Local Union is affiliated with and generally act as the chief spokesperson of the Union; and all other duties which are consistent with his/her office.

Section 2. Senior Vice President: The Senior Vice President shall be a full time salaried officer of the Union. He/she shall be responsible for the development and growth of the Local Union through the organizational efforts he/she and the President determine are appropriate. He/she shall assist the President in the performance of the duties of that office as requested by the President. He/she shall have the full authority of the President in the President's absence except for those duties assigned to the Vice President under these by-laws. He/she shall co-sign all checks for payment of money from Union funds along with the President or the Financial Secretary-Treasurer. In the absence of a presiding officer, he shall call meetings to order and preside. He/she shall, by virtue of office, be a delegate to the International Union Convention by virtue of office.

Section 3. Financial Secretary -Treasurer: The Financial Secretary-Treasurer shall be the chief financial officer of the Local Union. He/she shall be compensated for all time spent on duties on behalf of the Union. He/she shall be a delegate to the International Union Convention by virtue of office. He/she shall perform the following duties:

(a) He/she shall keep or cause to be kept a complete and accurate set of books in such a manner that it will show all of the business transactions of the Local Union, including its income and expenditures and its assets and liabilities.

(b) He/she shall make a financial report to the membership at each regular meeting, giving an official accounting of all monies collected and expended by the Union.

(c) He/she shall, when feasible, keep regular office hours for the convenience of the members, as well as the employers, and perform such other duties as may be required of him or her.

(d) He/she shall have charge of and attend to all official correspondence of the Union, impress the seal thereon and keep a copy of all such correspondence. He/she shall attend to all clerical work of the office unless otherwise provided for. He/she shall counter-sign all working, traveling and withdrawal cards. He shall sign all documents required by the Local and the International Union for the protection and welfare of the members.

(e) He/she shall compile or cause to be compiled under his/her direction and supervision the roster of the Local Union as required by the International Constitution.

(f) He/she shall keep a complete record of all committees and officers of the Local Union. He/she shall notify all committee members of their appointment. He shall take or cause to be taken a true and faithful record of the proceedings of the Local Union's meetings which shall be transcribed in the minute book provided for that purpose by the Local. He/she shall record the roll call of all officers present at all meetings and record the attendance in the minute book.

Section 4. Vice President. The Vice President shall aid and assist the President in the discharge of his/her duties as requested by the President and in preserving order and decorum in the Local. He/she shall appoint the minority of all committees. In the absence of the President, the Senior Vice President or the Financial Secretary-Treasurer, he/she shall sign or co-sign all checks and other documents. He/she shall be a delegate to the International Union Convention by virtue of office.

Section 5. Trustees. The Trustees shall supervise the property of the Local and shall submit an itemized inventory thereof each fiscal year. They shall audit the books of the Financial Secretary-Treasurer each month. They shall certify that the books of all officers desiring to resign are properly balanced and audited and that any of the Local's business which might have been entrusted to those officers has been properly completed and accepted by the Local before the resignation can be accepted. All books, papers, documents and money belonging to the Local Union which officers or members of the Local might have in their possession shall be made available to the Trustees for inspection at designated times.

Section 6. Executive Board. The Executive Board shall consist of the President, Senior Vice President, Financial Secretary-Treasurer, Vice President and the three Trustees and four additional elected Executive Board members. The Executive Board shall meet monthly and a majority of the Executive Board shall constitute a quorum for the transaction of all business. The Executive Board shall perform the following duties:

(a) Between regular meetings, the Executive Board shall be the governing body of the Union. It shall have complete authority between meetings of the Union as may be exercised by the union under the International Constitution, and these by-laws.

(b) All applications for donations and all proposed expenditures, other than routine operating expenses, shall first be referred to the Executive Board for their recommendation; which recommendation shall be subject to membership approval by majority vote of the membership present at a regular or special meeting.

(c) All plans for the ownership or long term lease of real estate or the use of any of the funds of the Local or its members for such purposes shall be first recommended by the Executive Board and submitted to the membership for final approval by a two-thirds majority of those members present. Whenever this Local Union, a trust fund, corporation or other entity created directly or indirectly from funds derived from the Local Union or its members enters into a plan for the ownership, sale, encumbrance, remodeling or long term lease of real estate or uses any of its own or its members' funds for such purposes, the entire plan, including any trust agreements, articles of incorporation, corporate by-laws, contracts and leases, shall be subject to approval of the International President before becoming effective. This Local Union or other such entity may not establish or participate in a plan to hold real estate which does not permit the International Union to audit fully the building funds in the same manner as the Local Union's assets are audited.

ARTICLE X TRIALS AND APPEALS

Section 1. No member of this Local Union may be fined, suspended, expelled or otherwise disciplined, except for non-payment of dues, by this Local or any of its officers unless such member has been (a) served with written specific charges; (b) given a reasonable time to prepare his defense; and (c) afforded a full and fair hearing as set forth in this Article.

Section 2. A member or officer of this Local Union shall be subject to charges and to stand trial when charged with violating these by-laws or the International Constitution. The procedures and requirements of said charges, trials and appeals shall be as set forth in Article 16 of the International Constitution.

Section 3. The President and Vice President shall appoint a trial board of five from the membership to hear the charges and to render a decision. When the accused is found guilty, the penalty may be a fine for strikebreaking, suspension, expulsion, limitation to hold office or attend meetings, any combination of the foregoing or such other penalty as the determining authority may deem appropriate.

Section 4. The Financial Secretary-Treasurer shall notify the accused of the charges by sending him/her a copy thereof by registered mail or by delivering a copy of the charges to the accused personally. The accused shall be notified of the time, date and place of the trial and shall be allowed not less than ten days from the time of such notice for the preparation of a defense. Each side shall procure the attendance of its witnesses.

Section 5. Appeals from the trial board shall be governed by the International Constitution, Article 16, §§12-21.

**ARTICLE XI
FINANCES**

Section 1. Initiation Fees. The initiation fee of the Local Union shall be in accordance with the following schedule:

	<u>1-1-08</u>
Bartenders, Engineers	\$95.35
Cooks and Servers	\$70.35
All Others	\$45.35

Section 2. Monthly Dues.

	<u>1-1-13</u>
Bartenders, Engineers, Servers, Captains	\$46.50
All others	\$44.50

Section 3. Retirement Dues.

All crafts – 50% of monthly dues being paid at time of retirement.

Section 4. Monthly dues of the members of this Local Union and dues increases shall be in compliance with the dues structure of the International Constitution unless waived by the General President.

Section 5. Any member being two calendar months in arrears for the payment of any dues, assessments or fines shall be considered automatically suspended. The provisions of Article X of these by-laws shall not apply to such suspension.

Section 6. Reinstatement to membership in this Local Union shall be made in accordance with the procedures set forth in the International Constitution.

**ARTICLE XII
AMENDMENTS**

Section 1. All proposed amendments to these by-laws must be in writing, proposed by the Executive Board or signed by 300 members in good standing with the Local and read at two consecutive regular or special meetings and voted upon at the second meeting. After the first reading, the proposed amendment must be posted on the bulletin board until final action. A two-thirds majority vote of members present at the second meeting shall be required to adopt an amendment. No amendment shall become effective until approved by the International President.

Section 2. Rules of order or order of business may be amended by a two-thirds vote of the membership present. This provision shall not apply to the waiving of the reading and approval of the monthly or quarterly financial reports at any regular meeting.

ARTICLE XII
INTERNATIONAL CONSTITUTION

Section 1. The terms and provisions of the International Constitution and any amendments thereto shall be binding upon this Local Union, its officers and members, as is fully set forth herein.

Section 2. Any provisions of these by-laws which are in conflict with the International Constitution or state or federal law shall be of no force or effect.
