

**CONSTITUTION**

**and**

**BY-LAWS**

Steamship Clerks, Checkers, Tallymen, Weighers, Timekeepers, Billing  
Clerks and Carpenters, Local 953, International Longshoremen's  
Association, AFL-CIO

**CONSTITUTION**

ARTICLE I            NAME

The name of this organization shall be: Steamship Clerks, Checkers, Tallymen, Weighers, Timekeepers, Billing Clerks and Carpenters, Local 953, International Longshoremen's Association, AFL-CIO and may be referred to herein as "Local 953," "Union," "Local" or "organization."

ARTICLE II           PURPOSE

The purpose of this organization is to act as bargaining agent for its members in accordance with the Merger Agreement Between ILA Local 953 and ILA Local 1355, and the constitutions of the Baltimore District Council of the International Longshoremen's Association, the Atlantic Coast District of the International Longshoremen's Association and the International Longshoremen's Association, AFL-CIO and as authorized by their Charter, acquired April 9, 1917, to instruct and guide its members to better workmanship and efficiency.

ARTICLE III          OFFICERS

The officers of this organization shall be a President, Vice-President, Business Agent, Recording Secretary, Treasurer, two (2) Delegates to the Baltimore District Council, Sergeant-at-Arms, and Order Clerk. Each of these Officers shall sit on the Local's Executive Board.

ARTICLE IV          MEMBERSHIP

A. QUALIFICATIONS FOR MEMBERSHIP

(a) Applicants for membership must have completed at least 675 hours of on-the-job training on bargaining unit work as defined by the Agreement between Local 953 and the Steamship Trade Association of Baltimore, Inc. during at least two (2) of the last three (3) contract

years. If there is any dispute as to qualifications, the applicant must furnish proof of the fact that sufficient on-the-job training was performed. Upon satisfaction of the membership requirement stated above, applicants shall be admitted to membership without regard to race, gender or as otherwise required by Title VII of the Civil Rights Act of 1964.

(b) Applicants for membership must complete an application form or card, tender the appropriate initiation fee, have a desire and ability to be employed in the craft to which this Local has been granted jurisdiction, have attained their twentieth (20<sup>th</sup>) birthday and have taken the following Oath:

"I promise that I will uphold the Constitution and By-Laws of this Local Union and any of its rules and regulations heretofore enacted by its members and will faithfully work for the best interests of this organization, and abide by the contracts and work rules of this Local Union, so help me God."

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#### ARTICLE V FUNDS

All monies belonging to this organization shall be deposited by the Treasurer or Business Agent in the name of the organization, in such banks or trust companies as are approved by the members. All monies withdrawn from said banks or trust companies shall be by check signed by either the following three officers: President, Treasurer, and Business Agent. Each of these three officers shall be bonded for the faithful discharge of his duties in such amount and in such manner as may be prescribed by the Local and required law.

#### ARTICLE VI INITIATION FEES DUES AND ASSESSMENTS

The initiation fee of this Local shall be two thousand dollars (\$2000.00).

The minimum annual dues of this Local shall be \$360.00 per calendar year, due and payable by December 31<sup>st</sup> of each year for that entire year-ending December 31<sup>st</sup>. Any work dues paid by a member during the calendar year pursuant to the following paragraph of this Article shall be credited toward annual dues up to the amount of the annual dues so that any member who pays work dues during the calendar year in an amount less than the annual dues shall owe the difference between the amount of the work dues paid and the amount of the annual dues and any member who pays work dues during the calendar year in an amount equal to, or in excess of, the annual dues will owe no annual dues for the calendar year.

Each member shall pay to the Local work dues in the amount of two and one-half percent (2-1/2%) of his or her straight time hourly wage rate for all hours, straight time and overtime, for which he or she is paid for work performed under the jurisdiction of the Local. Work dues shall be due and payable to the Local once each week within seven (7) days after the money on which it is based is paid to the member.

In addition to the Local work dues, each member must pay dues (currently 9/10<sup>th</sup> of 1%) to the International in accordance with the International Constitution. Such dues will be remitted by the Local (or directly from the Employer(s) if so authorized) to the International in accordance with the International Constitution. Members may also voluntarily choose to donate an additional 1/10<sup>th</sup> of 1% to the ILA Committee on Political Education (COPE).

Any member who fails to pay any dues required to be paid by this Article within thirty (30) days after the date on which the dues are due and payable under this Article shall be automatically suspended from membership until all dues owed are paid. Any member who fails to pay any dues required to be paid by this Article, within three (3) months after the date on which the dues are due and payable under this Article shall be automatically expelled from this Local.

No assessment shall be levied by this Local, nor shall the initiation fee, reinitiation fee or dues of this Local be raised,

except by a majority vote, by secret ballot, of the members in good standing present and voting at a general or special membership meeting called upon reasonable notice, stating the intention to vote upon such question. Such vote and meeting will not be subject to, nor deemed to be covered by, any provisions of the Constitution or By-Laws of this Local which relate to Amendment of the Constitution and By-Laws.

Anyone paying dues with a check drawn on insufficient funds more than one (1) time shall be fined an additional fifty dollars (\$50.00) per bad check.

ARTICLE VII QUORUM

Ten percent of the total membership at the time in question shall constitute a quorum for the transaction of business. One of these must be an elected officer.

ARTICLE VIII SEAL

This organization shall have a seal which shall be circular in form and have inscribed thereon: INTERNATIONAL LONGSHOREMEN'S ASSOCIATION LOCAL 953, BALTIMORE, MARYLAND.

ARTICLE IX DISSOLUTION

This organization shall not dissolve while there are ten (10) objecting members.

**BY-LAWS**

ARTICLE I MEETING

A regular meeting shall be held on the second Wednesday of each month. Meetings shall commence at 6:30 p.m. and be adjourned no later than 9:30 p.m. unless notes otherwise at the opening of the meeting. All members must attend at least one (1) meeting every six (6) months

or be subject to a fine. The six (6) month period is to be from January to June and July to December.

In case of emergency, special meetings may be called by the President on twenty-four (24) hours' notice. Notices shall be posted on the bulletin board specifying the purpose and hour of the meeting.

A special meeting may be called at any time by twenty-five (25) members in good standing by a written request to the President. Notices of special meetings requested by the aforementioned twenty-five (25) members shall be posted on the bulletin board, or shall be given by mail at least three (3) days prior to the date of said meeting, and shall state the purpose of the meeting. Cancellation of July and/or August meeting is permissible only by majority vote of the members present at the June meeting.

## ARTICLE II DUTIES OF MEMBERS

It shall be the duty of the membership to adhere to the Constitution and By-Laws and live up to the Oath of Membership. Members must also work in a manner consistent with applicable collective bargaining agreements.

Members shall encourage each other, and assist one another in maintaining the high, standards of this organization.

## ARTICLE III NOMINATION AND ELECTION OF OFFICERS

Nominations for officers shall be made at the regular January meeting of each election year. Not less than fifteen (15) days prior to nominations written notice thereof shall be mailed to each member in good standing at his last known address, setting forth that the nominations of officers will be held.

Candidates must accept nominations at the time made, either in person or if absent, in writing. No member shall be nominated for office who is indebted to the organization for dues, fines, assessments, or other liabilities. Nominees for office must be members in good standing for at least one (1) year. All officers may be eligible for re-

election or for nomination to any other office. The election of officers, including members of the Executive board, shall be held by secret ballot during February, the date to be set by the Executive Board. Not less than fifteen (15) days prior to the election, notice thereof shall be mailed to each member at his last known address, setting forth that the election of officers shall be held, giving the date and place and time of balloting.

The candidate receiving the most votes shall be elected to the office. Each candidate shall be permitted to be represented at the voting and at the counting of ballots by an observer of his own choice. All election records, including the ballots, shall be maintained by the Local for a period of at least (1) year.

Three judges shall be chosen by the Local to conduct the election. Their duties shall be to distribute, collect, and examine ballots, and declare the results to the membership.

Officers shall be installed at the regular meeting in February. Tenure of office shall be for three (3) years. All officers of the organization shall at the expiration of their terms surrender to their successors, all books, monies, and other matters belonging to this organization.

#### ARTICLE IV DUTIES OF OFFICERS

It shall be the duty of the President to preside at all meetings, to enforce due observances of the constitution and rules of the Local, to decide all questions of order, to call special meetings when required, to appoint committees not otherwise provided for in these By-Laws, and perform such duties as his office may require. He shall not vote on any motion or amendment, nor vote on any question unless the membership is equally divided, in which case he shall cast the deciding vote. For the faithful performance of his duty, he shall receive One Thousand Dollars (\$1000.00) per year.

The Vice-President shall assist the President in the function of his office, and shall preside in the absence of the President. For the faithful performance of his duty he shall receive Five Hundred Dollars (\$500.00) per year.

The Recording Secretary shall be responsible for all Local correspondence, involving notices of special meetings or assessments; shall keep accurate minutes of meetings and an up-to-date roster of membership. He shall submit his books whenever required for inspection. He shall be custodian of the Seal of the Local. For the faithful performance of his duty, he shall receive Seven Hundred Dollars (\$700.00) per year.

The Treasurer shall keep an account of the receipts and expenditures, make a financial report at each quarterly meeting, with the President and Business Agent sign all drafts as authorized by the Local, and submit his books as often as required for inspection. An audit of the Treasurer's books shall be made by a Certified Public Accountant prior to the regular March meeting each year. At the regular March meeting each year, copies of the auditor's report shall be available for distribution to all members. For the faithful performance of his duty, he shall receive Five Thousand Dollars (\$5000.00) per year.

The Sergeant-at-Arms shall assist the President to preserve order when necessary, care of the door, and admit no one but a member. He shall bar any member from the meeting who shows signs of impairment. In case of absence of the Sergeant-at-Arms, the Chair shall appoint an alternate.

The Business Agent shall make himself available to all members from 7:00 a.m. to 6:00 p.m. on weekdays and 9:00 a.m. to 1:00 p.m. on Saturdays. The Hall shall be kept open during these hours, except when the Business Agent leaves on business of the Local. He shall endeavor to settle all differences which may exist on the pier. He shall handle all pertinent business of the Local. He shall receive dues, assessments, etc. and take a record of same, and turn records over to the Treasurer. He shall submit his books as often as required for inspection. For the faithful performance of his duty,



he shall receive the equivalent of Five (5) straight days, Twenty (20) overtime hours and Six (6) meal hours at the prevailing rate for Shiprunners. (The Six (6) meal hours are to compensate the Business Agent for performing Order Clerk duties.) In addition he shall receive Thirty (\$30.00) per week for expenses.

The Order Clerk shall make himself available to all members, for the purpose of receiving and referring of all orders for I.L.A. Local 953 from Monday thru Friday from 7:00 a.m. to 5:00 p.m. For the faithful performance of his duties he shall receive the equivalent of Five (5) straight days and ten (10) overtime hours at the prevailing rate for Shiprunners.

The Executive Board shall consist of the President, Business Agent, Vice-President, Recording Secretary, Treasurer, two (2) Delegates to the Baltimore District Council, Sergeant-at-Arms, and the Order Clerk. The Executive Board shall be the highest governing authority within the Local between meetings and shall exercise general supervision over its property and affairs. It shall have such further powers as are necessary and appropriate to effectuate the powers granted to it by the International Longshoremen's Association, the Constitution and By-Laws of the Union. For their services members of the Executive Board who are not otherwise compensated for their services shall receive a fee of Ten Dollars (\$10.00) for attending regular or special night District Council meetings or Executive Board Meetings.

A majority of the members of the Executive Board shall constitute a quorum for the transaction of business. Meetings of the Executive Board may be called by the President or by any three (3) members of the Executive Board. For their services the President, Vice-President, Recording Secretary, Treasurer, Sergeant-at-Arms, and the members of the Executive Board shall receive a day's pay for each day they are compelled to lose because of the Local's business.

Replacing the Business Agent: In the event the Business Agent is sick or temporarily cannot perform his duties, he shall be temporarily replaced by any other member of the Executive Board so

designated by the Executive Board until the Business Agent can once again perform his duties.

ARTICLE V RESIGNATION FROM OFFICE

In case of the death, resignation, or permanent incapacity of any of the elected officers of the Local to serve as such officer, the Executive Board shall, within ten (10) days of such death, resignation, or permanent incapacity to serve, appoint a successor to serve out the remainder of the original Officer's term.

ARTICLE VI COMMITTEES

The standing committees of the Local shall be: The Wage Scale Committee, the Grievance Committee, and the Ad Hoc Committee.

The Wage Scale Committee shall be the President, Business Agent, one (1) member of the Executive Board (with the other members as alternates) and the option of one additional member to be selected by the Business Agent.

The Grievance Committee shall be the Executive Board.

The Ad Hoc Committee shall be the Business Agent, President, Treasurer and any Member(s) appointed by the President.

All committee members appointed by the President or Business Agent are subject to the approval of the membership. All committee members, other than the Business Agent, shall be compensated for any time they are forced to lose time from work because of committee activities.

ARTICLE VII WITHDRAWAL CERTIFICATES

Any member leaving the jurisdiction of this Local shall upon application to the Recording Secretary be entitled to a Certificate of Withdrawal (withdrawal card) after approval of the Executive Board. A one-time fee of Five Hundred Dollars (\$500.00) shall be required obtain a Certificate of Withdrawal. If this fee is not

paid, the member will be dropped from the roster of the Local 30 days after due notice is given. Members with withdrawal cards may not take part in meetings or other Local activities. Members who have obtained a withdrawal card and wish to be reinitiated into the Local will not be required to pay a reinitiation fee. Members who possess withdrawal cards are not guaranteed maintenance of seniority as the relative seniority of members on withdrawal is subject to applicable collective bargaining agreements.

#### ARTICLE VIII DISCIPLINE

Any member or officer guilty of violating any provisions of these By-Laws, or the rules and decisions of the Local, the Baltimore District Council, the Atlantic Coast District of the I.L.A., or the collective bargaining agreements entered into by the Local or the I.L.A., shall be subject to discipline.

The term "discipline" as used in these By-Laws shall mean reprimand, fine, suspension, removal from union office, disqualification to hold union office, limitation of union privileges, expulsion, or any other discipline determined upon by persons authorized to assess discipline under these By-Laws.

Disciplinary proceedings against any member may be initiated by any member of the Local by filing charges with the Recording Secretary of the Local. The Recording Secretary shall submit such charges to the Executive Board, and shall promptly transmit a copy of the charges to the accused. The Executive Board shall fix a time and place for a hearing on the charges, and the Recording Secretary shall send to the accused at least ten (10) days' written notice of the hearing, setting forth the time and place, which time may be extended by the Executive Board for good cause shown. The hearing shall be held before the Executive Board or if the Executive Board so desires, before a trial committee appointed by the Executive Board. At the hearing on the charges, the accused shall have the right to appear, produce and cross-examine witnesses, and be represented by any member of the Local in good standing designated

by him for that purpose. The Executive Board shall have the power to subject a member to discipline after the hearing on the basis of the finding made by it or by the trial committee appointed by it. Appeals from the decision of the Executive Board may be taken to the membership meeting of the Local as provided in Article XIX of the I.L.A. Constitution, and further appeals thereafter may be taken as provided in said Article. The decision of the Executive Board on any charges shall be final and binding unless reversed or modified on such an appeal.

The following shall be subjected to a One Hundred Fifty dollar (\$150.00) fine:

- Performing the task of two (2) distinct operations in the same period covered by the contract of Local 953 unless the member is re-ordered in accordance with any applicable collective bargaining agreement.
- Working contrary to a collective bargaining agreement.
- Allowing persons other than Local 953 members to perform bargaining unit work and/or failing to notify Local 953 that persons other than 953 members are performing bargaining unit work.
- Failing to be on the job when such is required.
- Engaging in direct dealing with employers over terms and conditions of employment.
- Working under a port number not your own.
- Acts detrimental to the I.L.A.

The following shall be subjected to a Fifty Dollar (\$50.00) fine:

- Failure to attend at least one meeting in every six (6) months.
- Impairment at a Union meeting.
- Failure to fulfill duties assigned by Business Agent.
- Failure to call into the Business Agent or Order Clerk to report the assignment of the day or night.

Charges of malfeasance against any officer must be in writing and signed by twenty-five (25) members in good standing and filed with the Recording Secretary of the Local. The Recording Secretary shall submit such charges to the accused. The Executive Board shall fix a time and place for a hearing on the charges, and the Recording Secretary shall send to the accused at least ten (10) days written notice of the hearing, setting forth the time and place, which time may be extended by the Executive Board for good cause shown. The hearing shall be held before the Executive Board or if the Executive Board so decides, before a trial committee appointed by the Executive Board. At the hearing on the charges, the accused shall have the right to appear, produce and cross-examine witnesses, and be represented by any member of the Local in good standing designated by him for that purpose. The Executive Board shall have the power to subject a member to discipline after the hearing on the basis of the finding made by it or by the trial committee appointed by it. Appeals from the decision of the Executive Board on any charges may be taken to the membership meeting of the Local as provided in Article XIX of the I.L.A. Constitution, and further appeals thereafter may be taken as provided in said Article. A two-thirds vote of the members present shall be necessary for his dismissal. The decision of the Executive Board on any charges shall be final and binding unless reversed or modified on such an appeal.

During the impeachment and trial of an officer, he cannot occupy the Chair or assume the duties of his office. The next highest officer, according to the order of elections shall preside until the case is disposed of.

#### ARTICLE IX            AMENDMENTS

The Constitution and By-Laws of this Local may be amended in the following manner:

Any proposed amendment shall be in writing and must have the signatures of Ten (10) members in good standing. It shall be posted on the bulletin board immediately after the meeting at which it is

introduced. Due notification shall be given each member. The amendment shall be voted upon at the next regular meeting and must be approved by a two-thirds (2/3) majority of the members present in order to become an amendment.

#### ARTICLE X COLLECTIVE BARGAINING AGREEMENTS

The Wage Scale Committee of the Local shall have the power to negotiate and enter into agreements with employers covering this Local.

Such Agreements shall be subject to the approval of the membership of the Local at a regular or special meeting or vote called in the usual and customary manner.

#### ARTICLE XI STRIKES

There shall be no strikes by members of this Local except in accordance with Article XXII of the Constitution of I.L.A. A meeting of the membership to consider strike action shall be held only upon reasonable notice to all members setting forth the subject of such meeting.

#### ARTICLE XII ORDER OF BUSINESS

1. Call to Order
2. Roll call of Officers
3. Reading of Minutes of Previous Meeting
4. Communications and Bills
5. Initiation of New Members (if applicable)
6. Reports of Officers
  - (a) Treasurer's Report
  - (b) Business Agent's Report
  - (c) President's Report
  - (d) Recording Secretary's Report
  - (e) Executive Board's Report

7. Report of Standing and Special Communities
8. Unfinished Business
9. New Business
10. Installation of New Officers or Nomination of New Officers (if applicable)
11. Adjournment