



The Transit Union AFL-CIO, CIO

AMALGAMATED TRANSIT UNION

Local 1385

Bylaws

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1 **AMALGAMATED TRANSIT UNION, LOCAL 1385**

2
3 **LOCAL BYLAWS**

4
5 **ARTICLE 1:**
6 **PREAMBLE**

7
8 This organization shall be known as Amalgamated Transit Union, Local 1385; which
9 holds a legal charter duly granted by the Amalgamated Transit Union, AFL-CIO, CLC.

10
11 It is the objective of these Bylaws of Local 1385 to establish a set of rules by which this
12 L.U. may function in accordance with the rules and regulations of the International
13 Amalgamated Transit Union and provide for members' needs and protection, and the
14 enforcement of their rights. These Bylaws shall be supplemental to the Constitution and General
15 Laws of the Amalgamated Transit Union, as amended. All prior Bylaws of this L.U. are hereby
16 revoked, and these current Bylaws shall become effective on this ____day of _____, in
17 the year of 2012.

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20 **ARTICLE 2:**
21 **OBJECTIVE OF THE LOCAL UNION**

22
23 The objectives of this L.U. shall be to promote and advance the cause of trade unionism,
24 to improve the wages and working conditions for all members, and represent the best interests of
25 all of its members when dealing with employers and other outside agencies. WE, the members,
26 therefore, constituting this body, do agree to be governed by the following Bylaws.

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29 **ARTICLE 3:**
30 **OFFICERS & STEWARDS**

31
32 The General Officers of the Local Union shall consist of a President-Business Agent,
33 Vice President, Recording Secretary, and Financial Secretary-Treasurer.

34
35 There shall be four (4) members elected to the Executive Board in addition to the
36 General Officers. One (1) Executive Board Member shall be elected from each of the following
37 departments or divisions: Transportation, Maintenance, PMOB/COMBO, and the Springfield
38 Division.

39
40 The four (4) General Officers and the four (4) Executive Board Members shall serve as
41 the Executive Board.

42
43 There shall also be four (4) stewards elected from each of the following departments or
44 divisions: Transportation, Maintenance, PMOB/COMBO, and Springfield. The stewards shall
45 report and assist the Executive Board Members in the daily operations of the L.U.

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3 **ARTICLE 4:**
4 **PRESIDENT-BUSINESS AGENT:**
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6 The President-Business Agent's duties shall be as provided for in the Amalgamated
7 Transit Union Constitution and General Laws. The President-Business Agent shall have the
8 authority to hire clerical or other support staff, but only upon the approval of the Executive
9 Board. The President-Business Agent shall have the authority to move the offices of the L.U.,
10 but only with the approval of the membership.
11

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13 **ARTICLE 5:**
14 **VICE PRESIDENT:**
15

16 The Vice President's duties shall be as provided for in the Amalgamated Transit Union
17 Constitution and General Laws.
18

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20 **ARTICLE 6:**
21 **FINANCIAL SECRETARY-TREASURER:**
22

23 The Financial Secretary-Treasurer's duties shall be as provided for in the Amalgamated
24 Transit Union Constitution and General Laws.
25

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27 **ARTICLE 7:**
28 **RECORDING SECRETARY:**
29

30 The Recording Secretary's duties shall be as provided for in the Amalgamated Transit
31 Union Constitution and General Laws.
32

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34 **ARTICLE 8:**
35 **EXECUTIVE BOARD**
36

37 The Executive Board Members duties shall be as provided for in the Amalgamated
38 Transit Union Constitution and General Laws.
39

40 The Executive Board shall review the arbitration cases monthly to ensure that members
41 are receiving timely hearings. The finding of each case and its status shall be presented to the
42 members monthly.
43

44 Executive Board meetings shall be held the first (1st) Wednesday of each month at 3:00
45 p.m. at the Union Hall.
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ARTICLE 9: ELECTIONS

Local 1385 shall require periodic elections of officers by secret ballot subject to recognized safeguards concerning the equal right of all members to nominate, seek office, and vote in elections.

All candidates for office must be eligible for election under the Amalgamated Transit Union Constitution and General Laws. Members to be eligible for office shall have had at least two (2) years continuous membership and in good standing.

Elections of General Officers, Board Members and Stewards shall be held on December 16, 2014, and every three (3) years thereafter on the third (3rd) Tuesday of December. All polls will open at 4:00 am and close at 6:00 pm, except the Springfield Division, which will open at 6:30 am and close at 12:30 pm.

The nominations for General Officers shall be from the eligible membership of the entire Local Union; and all members shall have the right to vote for the nominees for General Officers. A member that has been nominated for one or more General Office, Executive Board Position or Steward Position, must at the nominations meeting, or in writing to the L.U. within two (2) business days of the nominations meeting if the member did not attend the nominations meeting, clarify which office he or she is running for and whether he or she accepts or declines any nomination. There shall be no absentee, proxy, or write-in voting and no members shall be entitled to vote unless he or she is in good standing and presents himself or herself at the polls during the voting hours.

Delegates to the International Convention shall be elected at the same time as the election of officers and in the same manner. The President-Business Agent and the Financial Secretary-Treasurer shall be delegates to the convention by virtue of their office. The membership at the nominations meeting will determine the number of additional delegates, up to the maximum number allowed by the International Constitution and General Laws, that the Local Union will attend the International Convention. Prior to the determination of the membership, the Financial Secretary-Treasurer shall provide the members in attendance at the nominations meeting with a financial report detailing the finances of the Local Union, the expected cost of sending additional delegates, and the ability and advisability of the Local Union doing so.

No member who is disqualified from holding office under the provisions of Section 504 of the Labor-Management Reporting and Disclosure Act of 1959 shall be eligible for holding office in this Union.

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**ARTICLE 10:
FILLING OF VACANT OFFICES**

Any officer wishing to resign shall submit his or her resignation in writing to the President-Business Agent and the Executive Board. The President-Business Agent shall present any notice of resignation to the members at the next regular membership meeting,

All vacancies, except for a vacancy in the office of the President-Business Agent, shall be filled by appointed by the President-Business Agent, within ten (10) days of the vacancy. If there is less than six (6) months remaining in the current term of office, the appointed officer shall remain in office for the balance of the current term. If there is more than six (6) months remaining in the current term of office, the appointed officer shall remain in office until an interim election can be held. The interim election shall be held within the sixty (60) days of the vacancy, and shall otherwise be held as required by these Bylaws.

In the event that of a vacancy in the office of the President-Business Agent occurs and there is less than six (6) months remaining in the current term of office, the Vice President shall become the President-Business Agent and remain in the office for the balance of the current term. In the event that of a vacancy in the office of the President-Business Agent occurs and there is more than six (6) months remaining in the current term of office, the Vice President shall become the Acting President-Business Agent until an interim election can be held. The interim election shall be held within the sixty (60) days of the vacancy, and shall otherwise be held as required by these Bylaws.

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**ARTICLE 11:
MONTHLY MEETINGS**

There will be one general membership monthly meeting. All general membership meetings shall be called to order promptly at 7:30 pm on the second (2nd) Wednesday of each month, or as required and upon notice being posted seven (7) days in advance. The Springfield Division will meet on the second (2nd) Tuesday of each month at 6:15 pm. The regular monthly meeting shall be adjourned immediately after the Financial Report has been read and acted upon by the members being the last point of union business.

No meeting shall be cancelled unless the President-Business Agent receives written approval from the I.U. Such notice shall be posted on all union bulletin boards for all to see.

Twenty-five (25) members in good standing shall constitute a quorum for the transaction of business at a general or special membership meeting. General Officers and Executive Board Members shall be counted as part of the required twenty (20) members. Four (4) members in good standing shall constitute a quorum for the transaction of business at a meeting of the Springfield Division.

The President-Business Agent, or Executive Board by majority vote, may call for a special meeting periodically as needed for union business. The nature of the business to be acted

1 upon shall be set forth in the Notice of the Special Meeting, which shall be posted on all union
2 bulletin boards not later than three (3) days prior to the meeting. No business shall be transacted
3 except that for which the meeting has been called.
4

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6 **ARTICLE 12:**
7 **MEMBERS' RIGHTS & RESPONSIBILITIES**
8

9 All members shall have the right to participate in the affairs of the organization, and to
10 fair and equitable procedures in disciplinary actions.
11

12 All members must conduct themselves in the appropriate manner or will be asked to
13 leave the meeting.
14

15 It shall be the duty of each member to: Assist the Officers in advancing the interests of
16 the Local Union and its members.
17

18 Members are required to notify the Financial Secretary-Treasurer of their correct
19 addresses at all times.
20

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22 **ARTICLE 13:**
23 **GRIEVANCES & ARBITRATIONS**
24

25 The Local Union may advance a grievance to arbitration only if a majority of members
26 from the pertinent division voting by secret ballot at a membership meeting vote to do so. In the
27 case of a grievance arising under the Dayton Regional Transit Authority (RTA) collective
28 bargaining agreement, only Dayton RTA Division members shall be allowed to vote. In the case
29 of a grievance arising under the Springfield collective bargaining agreement, only Springfield
30 Division members shall be allowed to vote. In the case that the members vote to advance a
31 grievance to arbitration, the costs of such arbitration shall automatically be assessed on a per
32 capita basis among all active members of the Division which voted to advance the grievance.
33

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35 **ARTICLE 14:**
36 **COLLECTIVE BARGAINING AGREEMENTS**
37

38 The Local Union will establish a negotiations committee for the purpose of reaching and
39 concluding collective bargaining agreements. The negotiations committee for the Dayton RTA
40 Division shall consist of the President-Business Agent, the Financial Secretary-Treasurer, the
41 Recording Secretary, and no more than two additional members from the Dayton RTA Division.
42 The negotiations committee for the Springfield Division shall consist of the President-Business
43 Agent, the Financial Secretary-Treasurer, and the Springfield Division Executive Board
44 Member.
45

1 Any collective bargaining agreement, or any amendments to any collective bargaining
2 agreement, shall require a majority vote of the eligible members voting at a properly noticed
3 meeting, provided that members shall be eligible to vote only if they are covered by the
4 collective bargaining agreement at issue, and provided further that such a vote shall take place
5 within ten (10) days of the Local Union reaching a tentative agreement on a successor collective
6 bargaining agreement or on any amendment to an existing collective bargaining agreement.

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9 **ARTICLE 15:**
10 **COMMITTEES**

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12 All committees shall be appointed by the President-Business Agent.
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15 **ARTICLE 16:**
16 **OFFICE HOURS**

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18 The Local Union office must be open to the members for business and the President-
19 Business Agent available to the members from Monday through Friday commencing at 8:30 AM
20 and shall close at 5:00 PM, except that the Local Union office may be closed on holidays
21 recognized by the RTA, and at those times when the President-Business Agent is engaged in
22 Local Union business which takes him or her out of the office.
23

24
25 **ARTICLE 17:**
26 **SALARIES**

27
28 The positions of President-Business Agent will be a weekly salaried position as stated
29 below. Financial Secretary-Treasurer, Vice-President, Recording Secretary and Executive Board
30 Members and Stewards shall be salaried positions paid monthly, in the amounts as follows:
31

- 32 1. President-Business Agent Shall be paid 40 hours @ the top bus operator rate Per week.
33 of pay
34 **Plus the L.U. will provide the employer's portion of**
35 **health insurance premiums, and the employer's portion of**
36 **PERS or other retirement plan contributions.**
37
38 2. Vice President Shall be paid \$150.00 Per month.
39
40 3. Financial Secretary- Shall be paid \$500.00 Per month.
41 Treasurer
42
43 4. The Recording Secretary Shall be paid \$150.00 Per month.
44
45 5. Exec. Bd. Members Shall be paid \$100.00 Per month.
46

1 6. Stewards Shall be paid \$ 50.00 Per month.

2
3 Other than the monthly salaries denominated in this Article, a General Officer, Executive
4 Board Member, Steward or other member shall receive compensation only for hours he or she
5 actually worked which were worked during his or her regular work schedule; only at his or her
6 regular, straight-time rate of pay; only after he or she has received proper approval; and only
7 consistent with the then current International Union policy regarding the payment of Local
8 Union officers and members for lost time, which this Local Union adopts as its own policy. In
9 no case shall the Financial Secretary-Treasurer be paid lost time or otherwise compensated,
10 except for the \$500.00 monthly salary denominated above, for performing the regular and
11 normal financial duties of the office, including, but not limited to, the preparation of monthly
12 membership reports and financial reports, performance of banking, bill paying and associated
13 functions, and other routine matters.
14

15 The President-Business Agent and the Financial Secretary-Treasurer shall each receive
16 \$25.00 per month reimbursement for cellular telephone service.
17

18
19 **ARTICLE 18:**
20 **UNION DUES**
21

22 The dues of this Local Union for all members shall be \$14.00 per week, except that the
23 dues for members who operate Project Mobility vehicles shall be \$12.50 per week, and the dues
24 for Springfield Division members shall be the minimum dues required by the Amalgamated
25 Transit Union Constitution and General Laws. The dues of this Local Union for all members
26 shall, on the first full week after July 1, be increased by the same percentage as the increase, if
27 any, in the International Per Capita Tax. All General Officers, Executive Board Members and
28 Stewards shall be required to pay the same union dues and assessments as all other members.
29

30 Except for arbitration assessments, in order for an assessment to be approved, it must be
31 presented to the members in writing, read at two (2) meetings and approved by a majority of
32 members voting at the second (2nd) meeting. Once approved, the assessment shall be assessed to
33 the members and deducted from their paycheck. All funds received from assessments shall be
34 deposited into a special account to be used only as voted on by the members.
35

36 The initiation fee for new members shall be \$100.00 (Dayton and Springfield), and shall
37 commence with the start of the first day following the completion of their probationary period.
38 Union members who have been terminated and are having their case litigated by the Local
39 Union, and those who are on disability, workmen's compensation, or unemployed due to lack of
40 work, shall, during the period of their unemployment, be required to pay union dues in an
41 amount equal to the International Per Capita Tax then in effect, and any other per capita taxes
42 paid by the L.U. Upon their return to work, such returning members shall pay the L.U. for full
43 L.U. dues less the International Per Capita Tax and any other per capita taxes paid by the L.U.
44 The past due amount will be paid to the local with ten (10) equal payments for the outstanding
45 amount. Each member shall be required to pay the Financial Secretary-Treasurer directly, or do

1 it through a deduction from payroll by his or her employer. Payments made to the Financial
2 Secretary-Treasurer shall be made by check payable to ATU local 1385.
3
4

5 **ARTICLE 19:**
6 **ASSESSMENTS**
7

8 Except for assessments implemented pursuant to Article 13 of these Bylaws, an
9 assessment on members may be implemented only upon a majority vote by secret ballot of L.U.
10 members in good standing. Voting shall take place at a general meeting, or a special
11 membership meeting called for said purpose. A notice of a vote to assess the membership must
12 be posted or mailed to members fifteen (15) days prior to the vote of the membership, and must
13 receive a majority approval of the members in attendance.
14

15
16 **ARTICLE 20:**
17 **LOCAL UNION FINANCES**
18

19 Local 1385 shall keep accurate accounts of all income and expenses, have a semi-annual
20 financial report, and an annual financial report prepared by a CPA. All records shall be open for
21 inspection by any member in good standing of the L.U. A member wishing to inspect any record
22 must make a request in writing to the President-Business Agent, and the President-Business
23 Agent shall comply with the request in no longer than thirty (30) days
24

25 General Officers, Executive Officers, Stewards and other agents of the Local Union are
26 prohibited from engaging, on their own behalf or on behalf of their family members, in
27 transactions in which they have an adverse interest to the Local Union, or from otherwise
28 breaching their fiduciary duties to the Local Union.
29

30 The Financial Secretary-Treasurer shall deposit and keep all Local Union funds in the
31 Local Union's bank account or bank accounts, except that up to \$50.00 cash may be kept in the
32 Local Union's office as petty cash. The Financial Secretary-Treasurer may not change, open or
33 close bank accounts without the approval of the Executive Board.
34

35 Local 1385 shall require that every official responsible for funds or other property of the
36 L.U., or a trust in which the L.U. is interested, be bonded with the amount, scope, and form of
37 the bond as determined appropriate by the International Amalgamated Transit Union.
38
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40 **ARTICLE 21:**
41 **CONVENTION & CONFERENCE EXPENSES**
42

43 Travel expenses for travel to conventions and conferences must be approved by the
44 membership. Prior to the approving travel expenses, the Financial Secretary-Treasurer shall
45 provide the members in attendance at the meeting at which the expenses are being voted on with
46 a financial report detailing: the finances of the Local Union; the expected cost of sending

1 additional delegates to the International Convention as provided for in Article 9 of these Bylaws,
2 or of sending members to another convention or to a conference; and the ability and advisability
3 of the Local Union doing so.
4
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6 **ARTICLE 22:**
7 **LOCAL UNION CHECKS & EXPENSES**
8

9 All checks written by the L.U. must be signed by the President-Business Agent and the
10 Financial Secretary-Treasurer. The signatures of the President-Business Agent and Financial
11 Secretary-Treasurer must be legible and verifiable.
12

13 Officers and members performing work for the Local Union which requires them to incur
14 hotel and travel expenses shall be entitled to their actual hotel and necessary travel expense when
15 supported by receipt and approved by the a vote of the Local Union in advance of the travel. In
16 addition, they shall be entitled to a per diem meal allowance of Sixty-Five dollars (\$65) for each
17 day where an overnight stay is required and accompanied by a hotel receipt if the travel was
18 approved by a vote of the Local Union in advance of the travel. Officers and members attending
19 seminars or other functions where meals are included shall not be entitled to the per diem
20 allowance. When using their personal automobile on Local Union business outside the Dayton-
21 Springfield-Greenville Combined Statistical Area, officers and members shall be allowed the
22 current IRS approved rate per mile, which shall cover automobile expenses, excluding tolls.
23

24 Other necessary expenses such as meeting room rental, supplies, and photocopying shall
25 be reimbursed when supported by receipt and approved by the President-Business Agent or the
26 Local Union in advance; expenses of \$250 or greater must be approved by the Local Union, but
27 expenses for less than \$250 may be approved by either the Local Union, Executive Board or the
28 President-Business Agent.
29

30 Any payment for any expense must be made consistent with the then current International
31 Union policy regarding payments for expenses, which this Local Union adopts as its own policy.
32 All expense claims must be accompanied by a voucher of the Local Union and approved by the
33 Recording/Financial Secretary-Treasurer. No officer or member shall have the power to incur
34 any indebtedness on behalf of this Local Union without being duly authorized by this Local
35 Union to do so.
36

37 The Local Union shall not apply for, accept or use any credit card, debit card, automatic
38 teller machine card or similar financial card, product or service.
39
40

41 **ARTICLE 23:**
42 **AMENDMENTS TO THE BYLAWS**
43

44 In order to amend, rescind, or alter these Bylaws or to substitute new Bylaws, the
45 proposed amendment must be submitted in writing to the LU. The proposed amendment shall be
46 read at two (2) consecutive meetings. At the second meeting the proposed amendment shall be

1 discussed and voted on by the membership. A two-thirds (2/3) vote of the membership present
2 will be needed to amend the Bylaws. Once approved it shall be attached to the current Bylaws.
3 The Bylaws changes shall not take effect until an approval letter from the International President
4 has been received by the LU.
5
6

7 **ARTICLE 24:**
8 **INTERNATIONAL CONSTITUTION AND GENERAL LAWS**
9

10 These Bylaws shall address the issue of the local members; if not addressed in these
11 Bylaws the members shall then consult and use the International Union Constitution and General
12 Laws.
13
14

15 **ARTICLE 25:**
16 **FEDERAL & STATE OF OHIO LAWS**
17

18 Nothing contained in these Bylaws shall be construed or intended to circumvent any
19 applicable Federal or State law.
20
21

22 **ARTICLE 26:**
23 **DISCLAIMER OF AUTHORITY**
24

25 No member, agent, representative or officers of this L.U. or any other entity shall have
26 the power or authority to represent, act for, accept legal service for, commit or bind this L.U in
27 any matter or proceeding except upon express written authority having been granted therefore by
28 the L.U. President, the L.U. Executive Board or by authority granted by the International
29 Constitution and General Bylaws.
30
31

32 **ARTICLE 27:**
33 **APPROVAL OF THESE BYLAWS**
34

35 **First Reading**
36

37 On this _____ day of _____ and the year of 2012 the Bylaws were presented and read
38 to be members of ATU Local 1385.
39

40 ***** THESE BYLAWS WERE CREATED AND ENFORCED WHILE IN TRUSTEESHIP**
41 **ON THIS _____ DAY OF _____ AND THE YEAR OF _____ BY:**
42
43

44 _____
45 **Rodney Richmond, IVP**
46 **Trustee of Local 1385**

and

Gary Johnson, Sr., IVP
Trustee of Local 1385

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4 **ARTICLE 28:**
5 **APPROVAL BY INTERNATIONAL UNION**
6

7 On this _____ day of _____ and year of 2012 the International President of the ATU
8 International Union AFL-CIO, has reviewed the local 1385 Bylaws and has found that they meet
9 the terms and conditions of The International Amalgamated Transit Union, AFL-CIO, CLC
10 and the International Union has therefore approved as written.
11

12
13
14 _____
15 Lawrence Hanley, International President
16 Amalgamated Transit Union AFL-CIO, CLC