



AMALGAMATED TRANSIT UNION

LOCAL 1027

REVISED BY LAWS

April 2008

SUBMITTED TO:

INTERNATIONAL AMALGAMATED TRANSIT UNION  
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**BOLD**=New Language

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ARTICLE I  
NAME

Section 1. This Local Union shall be known as Amalgamated Transit Union, Local 1027.

ARTICLE II  
OBJECT

Section 1. The aims and objects of this Local Union are to unite the members, to promote their general welfare and advance their families in case of sickness or death, to encourage the principle of arbitration, and produce all conciliation possible in the settlement of all differences between employees and employer.

ARTICLE III  
MEMBERS

Section 1. This Local Union shall have unlimited membership.

Section 2. Any transit worker working within the jurisdiction of Fresno Area Express (FAX), or any other property under a contractual agreement with ATU Local 1027 shall be eligible for membership upon completion of Company training.

Section 3. The initiation fee shall be one hundred fifty dollars (\$150.00). The monthly dues for shall be twice the top hourly rate, plus all per capita taxes assessed to or by Local 1027 in accordance with the International Constitution. - All part-time members, not working for (FAX) will have their dues decreased by \$15.00 per month. . Initiation fees shall be due within thirty (30) days after completion of any probationary period. Any new property joining ATU Local 1027, their dues will be based on their top hourly rate unless adjudicated by the Executive Board.

Section 4. Any member desiring to resign from the Local Union shall submit their resignation in writing to the secretary/treasurer. The resignation will be presented to the Executive Board for action. No resignation shall be accepted until all union dues are paid.

Section 5. Members are required to inform the secretary/treasurer of any new changes in address or phone number. This must occur within fifteen (15) days of change.

Section 6. All members shall keep themselves in good standing, as the law of this union specifies.

Section 7. All business of this local union must be strictly private. Any member giving out information shall be dealt with as prescribed by the International Union.

ARTICLE IV  
OFFICERS

Section 1. The officers of this local union shall consist of a President-Business Agent, Vice-President, Secretary/Treasurer, and five (5) Executive Board members. The Officers of this Local Union shall be elected by ballot, to serve for a term of three (3) years. Their term of office shall begin on the first of day of the month following the month they were elected. All elections shall be governed by the International by laws.

Section 2. These Officers shall perform the duties prescribed by these by laws and by the Constitution and General Laws of the International Amalgamated Transit Union authority adopted by the local union.

ARTICLE V  
MEETINGS

Section 1. This local union shall have two (2) monthly meetings. The first meeting will be held on the first Thursday of each month at 7:00 p.m. at the union hall or any other location available. The second meeting will be held on the Friday after the first meeting at 9:30 a.m. at the union hall or any other location available.

Section 2. These meetings shall be known as “regular meetings” and shall be for the purpose of receiving reports of officers and committees and for any other business that may arise. Any action initiated at the first meeting, shall be reported to the next session under unfinished business. All matters must carry by the required majority of the total vote of all sessions of the meetings to become binding upon the union.

Section 3. Special meetings may be called by the President/Business Agent or by the Executive Board. The purpose of the meeting shall be stated in the call. The special meeting must be adjourned by a two-thirds ( $\frac{2}{3}$ ) vote of the members present, in order to call to order another meeting to transact other business. The only business transacted at a special meeting shall be that for which the meeting was called. Except in cases of emergency, at least three (3) days notice shall be given.

Section 4. In the event no regular meeting is held for lack of a quorum, all actions of the Executive Board, which would have been reported to the membership, shall become final and binding upon the Local Union without further action by the membership.

Section 5. Regular meeting times are 7:00 p.m. and 9:30 a.m. Ten (10) members of the Local Union shall constitute a quorum. At a special meeting a quorum shall consist of twenty (20) members.

Section 6. Members, Officers and Executive Board members of this Local Union shall conduct themselves in an orderly manner at all regular, special, and executive board meetings. Using profanity is not permitted. A fine of one dollar (\$1.00) will be imposed and/or ejection from the meeting.

Section 7. Meetings of this Local Union shall be conducted in accordance with the “order of business” for Local Union as set forth in the International Constitution and General Laws.

## ARTICLE VI EXECUTIVE BOARD

Section 1. The Officers of the Local Union, including the five (5) Executive Board members, shall constitute the Executive Board.

Section 2. The Officers and Executive Board of the Local Union shall direct and handle the affairs of the Local Union, subject to the laws and rules of this Union and in conformity with the instructions of the Local Union. It shall be the duties of the Officers and Executive Board to insure that the funds and property of the Local Union are preserved, managed, invested and expended in accordance with this Constitution, policies and the by laws of the Local Union.

Section 3. The Officers and Executive Board shall investigate all disputes, controversies between the members and/or management. They may constitute a grievance committee.

Section 4. The Executive Board shall be empowered to call special meetings of the Local Union to consider any matter or matters that in the judgment of the Board warrant the calling of a special meeting.

Section 5. Unless otherwise ordered by the Executive Board, regular meetings will be held on the fourth (4<sup>th</sup>) Tuesday of each month at 6:00 p.m. at the union hall or any other location available. A second (2<sup>nd</sup>) Executive Board meeting shall be held at the discretion of the President/Business Agent. Under certain circumstances the date, time and place of the regular Executive Board meeting shall be subject to change by the Executive Board, (i.e. holidays). The President shall be the chairperson of the Executive Board. Executive Board quorum shall consist of four (4) members of the Executive Board.

Section 6. Executive Board members shall attend all executive board meetings and (1) regular monthly meetings unless excused by the President/Business Agent. Absent from three (3) board meetings within a year period, the board shall then submit the members name to the membership for dismissal from the Executive Board (with the exception of vacation time, sickness or an emergency).

ARTICLE VII  
PARLIAMENTARY AUTHORITY

Section 1. The rules contained in the current edition of Robert's Rules of Order Newly Revised, shall govern the Local Union in all cases to which they are applicable and in which they are not inconsistent with by laws and any special rules of order the Local Union may adopt.

ARTICLE VIII  
AMENDMENT OF BY LAWS

Section 1. These by laws may be amended at any regular meeting of the Local Union by a two-thirds ( $\frac{2}{3}$ ) vote of members present. Notice of a by law amendment must be formally worded showing the existing by law and the by law with the proposed changes, stated in a formal manner across the top of each by law. It shall be required to be in writing and signed by two (2) members who serve as mover and seconder. If a by law amendment is accepted at all meetings, by majority vote, then the amended by law shall be posted at all properties for thirty (30) days and will be voted on at the next regularly scheduled union meeting.

ARTICLE IX  
COMMITTEES

Section 1. The President/Business Agent of the Local Union shall appoint committees, standing or special. The President/Business Agent shall be Ex-Officio member of all committees except the nominating committee.

Section 2. Whenever it is stated in the by laws that the President/Business Agent shall appoint all committees, this means that the President/Business Agent shall select the persons on such committees. It does not mean that the President/Business Agent can himself/herself decide to appoint and assign a task to a group.

Section 3. The President/Business Agent shall appoint all committees. This power does not transfer to the chair if someone else presides.

Section 4. Appointed positions shall not be considered Local Union officers.

Section 5. Provision: If there is occasion to appoint a special committee during a meeting from which the President/Business Agent is absent, the presiding officer assumes such power.

ARTICLE X  
ELIGIBILITY for OFFICE

Section 1. A member, to be eligible to office, must be a member in continuous good standing of their Local Union for two (2) years, and shall have attended eleven (11) regular meetings in the previous twenty-four (24) months prior to and including the nomination meeting, six of which will be in the previous twelve (12) months. If all members nominated do not meet these criteria's, then the International by laws will take effect.

Section 2 Members shall comply with the provisions of the Constitution and General Laws and the by laws of the Local Union.

**Section 3 One (1) Executive Board position shall be reserved for an ATU 1027 Member working at and for the Fresno paratransit Division, regardless of the Division being managed by the City of Fresno or a private contractor (e.g. MV Transportation). The Executive Board position reserved shall be board position #1, currently held by John Sanchez. Qualifications for this office are consistent with the qualifications for other elected offices contained herein. The position shall be voted upon by the membership at large beginning with the next vacancy.**

ARTICLE VI  
NOMINATIONS and ELECTIONS of OFFICERS

Section 1. Nominations for this Local Union shall be held at the first (1<sup>st</sup>) regular meeting in November of the election year.

Section 2. Any member in good standing may appear and place in nomination any qualified member for any office of the Local Union.

Section 3. In the absence of a quorum, at the nomination meeting, the Executive Board shall be empowered to hold a meeting at which nominations for officers shall be received.

Section 4. The secretary shall prepare a sample ballot and place the candidates' names for the respective office in alphabetical order. Post same on the Union Bulletin Boards at all properties within forty-eight (48) hours after meeting.

Section 5. Election shall be held at the first (1<sup>st</sup>) regular meeting in December of the election year.

Section 6. Elections shall be by secret ballot, and shall be so conducted. All elections and counting of ballots shall be under the supervision of an elected committee, consisting of three (3) members appointed by the President/Business Agent. As soon as the polls are closed and the ballots are counted, the result shall be announced. The candidates receiving majority of votes in their respective office are elected.

Section 7. The result shall be posted on the union bulletin board(s) at all properties the following day.

Section 8. All ballots shall be sealed and safeguarded for a period of one (1) year.

ARTICLE XII  
RESIGNATION and VACANCY of OFFICE

Section 1. Any officer wishing to resign shall submit their resignation in writing to the Executive Board. The Executive Board shall present such resignations to the regular membership meeting, along with their recommendation. It will then be voted upon by the membership.

Section 2. When a vacancy occurs in any office, the President/Business Agent shall announce such vacancy at the next regular membership meeting. Nomination for the vacancy shall be held at the next regular membership meeting following the announcement. A special election to fill the vacancy shall be held within thirty (30) days following said nomination.

Section 3. The President/Business Agent shall meet and confer with the Executive Board before an appointment is made to fill any vacant office. The President/Business Agent must have all Executive Board members' approval, and then the appointment is made.

Section 4. Further Rules: Constitution and General Laws – section 14-10

ARTICLE XIII  
QUORUM

Section 1. A continued presence of a quorum must be present at all regular Local Union meetings, for business to be legally transacted.

Section 2. Any member noticing the apparent absence of a quorum can make a point of order to that effect at any time, so long as they do not interrupt a person who is speaking.

- Section 3. If the chair notices the absence of a quorum, it is the chairs' duty to declare the fact, before taking any vote or stating the question on any motion.
- Section 4. After a quorum is no longer present, any business transacted is null and void.
- Section 5. If a quorum is not present, the chair announces the absence of a quorum.
- Section 6. Absence of a quorum at regular meetings, (see article v, section 4.)

ARTICLE XIV  
NEGOTIATION of CONTRACTS

- Section 1. The Local Union's President/Business Agent shall pick the Negotiation Committee. No contract shall be concluded or signed by any Officer or Officers, nor by the Executive Board, nor by any negotiating committee or members, there of affecting seniority, wages, hour or working conditions without there first being obtained an affirmative vote by secret ballot of members by a majority of members voting, at a special or regular meeting of the Local Union.

ARTICLE XV  
OFFICERS DUTIES

- Section 1. President/Business Agent's Duties:
1. The President/Business Agent shall be the Chief Executive Officer of the Local union and shall have general supervision over all its affairs between the executive and membership meetings.
  2. It shall be the duty of the President/Business Agent to preside at all meetings of the Local Union, to open the meeting at the appointed time and call the meeting to order, having ascertained that a quorum is present.
  3. To announce in proper sequence the business that comes before the membership.
  4. To recognize members who are entitled to the floor.
  5. To state and to put to vote all questions that come before the membership as motions or that otherwise arise in the course of proceedings (except questions that relate to Presiding Officer himself/herself).
  6. The President/Business Agent shall decide all questions of order, subject to an appeal to the Local Union.

7. To expedite business in every way compatible with the rights of members.
8. Shall have a right to vote in secret ballot votes, and shall have a right to vote only in case of a tie where there is a standing or hand vote when he/she shall give the deciding vote.
9. The President/Business Agent shall announce the results of all votes.
10. Shall enforce all fines and penalties.
11. Shall have the power to call special meetings.
12. Shall sign all orders on the treasury for such money as provided by this Constitution and the Local by laws or by vote of the Local Union be ordered paid.
13. To authenticate by his/her signature, all acts, orders and proceedings of the Local Union.
14. To declare the meeting adjourned when the membership so votes.
15. Appoint all committees not otherwise provided for. Perform such other duties as the Constitution and the Local by laws may require.

Section 2 Vice-President's Duties:

1. It shall be the duty of the Vice-President in the absence of the President/Business Agent to preside and perform all duties pertaining to the office of the President/Business Agent.
2. To render such assistance as may be required of him/her.
3. In case of a vacancy in the President/Business Agent's office, the Vice-President shall preside until the Local Union elects a President/Business Agent to fill the vacancy.

Section 3 Secretary/Treasurer's Duties:

1. To keep a correct account of the proceedings of the Local Union.
2. To call the roll of Officers.
3. To keep on file all committee reports.

4. To keep the Local Union official membership roll. Enroll all members, see that the certificates of membership are obtained for new members and issued to them.
5. To make the minutes and records available members upon request.
6. Keep a true and proper account between the Local Union and its member, collect all monies due the Local Union, shall be one of the Officers signing all drafts, shall report to the Local Union at each meeting the amount collected. Make a quarterly statement of receipts, deposits, expenditures and balances.
7. Shall see that the Local Union is kept in good standing with the International Union.
8. Shall make no disbursements without authorization from the President/Business Agent.
9. In the absence of the President/Business Agent and Vice-President, to call the meeting to order and preside over the meeting.
10. Conduct the general correspondence of the Local Union. When reports are received, the secretary/treasurer should record on them the date they were received and what action was taken on them.
11. To deliver to the Local Union at the expiration of his/her term of office all property entrusted to his/her care.

ARTICLE XVI  
ALLOWANCE for OFFICERS

- Section 1. The President/Business Agent shall receive Three dollars (\$3.00) per active member. The Vice-President shall receive One Dollar (\$1.00) per active member. The Secretary/Treasurer shall receive One dollar and forty cents (\$1.40) per active member. Executive Board members shall receive forty cents (\$.40) per active member. Allowances shall be paid monthly. Unless excused by the President/Business Agent, all elected Executive Board members must attend both the Executive Board and a regular meeting or they will forfeit their allowances for the month.
- Section 2. Increases will become effective after employees hired complete their probationary period.
- Section 3. In the event membership should decrease or increase, the allowance for Officers shall be adjusted to the appropriate membership count. Adjustments shall be made every six (6) months.
- Section 4. Any Officer or Executive Board member, who loses time in transacting business of this Local Union, shall be paid for their lost time.

Section 5. Lost time shall be paid at straight time for the hour or hours lost. (Not to exceed eight (8) hours in one (1) day. Slips for lost time shall be presented to the Secretary/Treasurer and placed with the bills.

ARTICLE XVII  
ADMINISTRATIVE PROCEDURES

Section 1. The Constitution and General Laws of the International shall govern any matters not specifically provided in these by laws.

Section 2. All financial transactions shall be approved by either the Executive Board or the membership. The Officers signing the checks shall include the President/Business Agent, or Vice-President and the Secretary/Treasurer.

Section 3. The levying of assessments shall be determined by the ATU International, Local Membership, or Executive Board. All assessments to pay for arbitration, disciplinary, or civil service matters will be automatic in accordance with the International Constitution.

Section 4. International Amalgamated Transit Union convention representation will be the following: President/Business Agent shall be the first (1<sup>st</sup>) delegate. The Secretary/Treasurer shall be the second (2<sup>nd</sup>) delegate. The election ballot shall so state.

Section 5. Meetings of this Local Union shall be conducted in accordance with the “Order of business for Local Union” as set forth in the International Constitutional and General Laws.

Section 6. Authorization must be obtained from the President/Business Agent or Vice-President (for time off) during regular working hours for transacting union business. This applies to the, Secretary/Treasurer, and Executive Board members.

Section 7. Death of member or family member: Upon notification or the Local Union becoming aware of the death of a member or immediate family member, the President/Business Agent, Vice-President, or Secretary/Treasurer shall send a floral arrangement or Memorial Bible of choice and sympathy card to the family on behalf of the Local Union, not to exceed fifty dollars (\$50.00). No cash monies will be given to the member or family in place of flowers, bible, or card.

Section 8. Immediate family members will consist of: grandparents, parents, spouse, and children.