

**Office and Professional Employees International
Union, Local No. 108**

CareFlite Pilots Committee

PHI Aircrew Association

CONSTITUTION AND BYLAWS

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ARTICLE I

Preamble

This Local Union declares for its objectives and aspirations the following: to organize all unorganized helicopter and other general aviation pilots and related support personnel as deemed appropriate by the National Mediation Board or similar certifying agency; to secure terms and conditions of employment for its members consonant with ideals of fair wages; to promote and encourage harmonious relations between ourselves and our employers; to render all possible assistance to our fellow members in the American Federation of Labor and Congress of Industrial Organizations and the Canadian Labour Congress; and to have, in general, the same aims and purposes of the Office and Professional Employees International Union (International Union) provided for in its Constitution in the interest of all professional, technical, office and clerical employees.

ARTICLE II

Name

This Local Union, located at Lafayette, Louisiana shall be known as the Office and Professional Employees International Union, Local No.108. This Local Union shall be and remain a chartered Local Union of the Office and Professional Employees International Union affiliated with the American Federation of Labor and Congress of Industrial Organizations and the Canadian Labour Congress.

ARTICLE III

Existence

This Local Union cannot be dissolved while there are one hundred (100) dues-paying members therein who desire to continue its existence. When any Local Union ceases to represent employees of any employer, the International Union Executive Board may suspend the charter of such Local Union and order it dissolved. Upon the dissolution of this Local Union, all its properties and assets, including its funds, books and records, shall become the property of the International Union, to be held by the International Union in trust for a period of one (1) year, during which time such property shall be returned to this Local Union if it is reconstituted. After such one (1) year period, such properties and assets shall become the property of the International Union, and the funds be placed in the International Union treasury to be used by the International Union for its general purposes.

ARTICLE IV

Jurisdiction

SECTION 1

This Local Union shall embrace within its membership employees in any phase of work coming within its jurisdiction established under the Constitution of the Office and Professional Employees International Union.

SECTION 2

This Local Union recognizes the right of the Executive Board of the International Union to determine jurisdiction between Local Unions and to settle all controversies respecting jurisdiction between Local Unions.

ARTICLE V

Membership

SECTION 1

No person shall be admitted to membership in this Local Union who advocates principles or lends support to organizations or movements whose purposes and objectives are contrary to the fundamental principles of the established governments of the United States, Canada, and the Commonwealth of Puerto Rico, or are in conflict with the policies of the International Union. No person shall simultaneously hold membership in this Local Union and another Local Union of the International Union. No person may transfer membership from another Local Union of the International Union to this Local Union without written approval of the President of the International Union, unless such a transfer is the result of a change in employment from one bargaining unit represented by the International Union or a Local Union to another such unit represented by this Local Union. Members shall hold membership in the Local Union through the bargaining unit where they are employed or were last employed, except for members employed by the International Union or one of its subordinate bodies, this Local Union or any Council or other federation of Local Unions, who shall hold membership in this Local Union as may be determined by the President of the International Union. Where a member works within the jurisdiction of this Local Union and another Local Union of this International Union at the same time, such member shall hold membership in this Local Union if such member worked under the jurisdiction of this Local Union first; provided, however, that where such member is employed under the jurisdiction of another Local Union first, such member shall hold membership in that Local Union and shall pay a fee equal to the applicable dues to this Local Union and this Local Union shall pay a fee equal to the applicable per capita tax to the International Union.

SECTION 2

All employees of this Local Union as well as all officers and full-time paid employees or organizers of the International Union shall be ex-officio members of this Local Union with the privilege of participating in this Local Union's meetings but not voting; provided, however, such officers and employees or organizers shall retain and may exercise full rights of participation in this Local Union if they hold membership in this Local Union.

SECTION 3

MEMBERSHIP CLASSIFICATIONS. Membership classifications shall be active, non-active and associate. No member shall simultaneously hold membership in more than one classification. A person who is suspended or expelled; loses their basis for membership due to an election; is no longer employed by the International Union or one of its subordinate bodies, a Local Union or any Council or other federation of Local Unions; has resigned their membership; or any other person who is not a member in accordance with one of the membership classifications provided for in this Article; shall not be considered a member for any purpose, except as may be directed by the President of the International Union; provided, however, in the event that a decision deprives a person of the basis upon which they hold membership, and that decision may be appealed to any body other than the Convention of the International Union, that person shall maintain membership unless and until the ruling on the appeal by the membership of this Local Union or the Executive Board of the International Union upholds the deprivation of the basis upon which membership is held.

SECTION 4

ACTIVE MEMBERSHIP.

A. An individual is eligible to be an active member in this Local Union if that individual is: employed within a collective bargaining unit or other unit of employees represented by this Local Union; employed by an employer who is the subject of an active organizing effort by this Local Union; an employee or officer of the International Union or one of its subordinate bodies; an employee or officer of this Local Union or any Council or other federation of Local Unions. Receipt by this Local Union of the current dues and any required initiation or reinstatement fee, or any installment established by this Local Union for payment of such fee, is required for an eligible individual to become an active member. Continued payment of dues, and if applicable, any remaining installments of the required initiation or reinstatement fee, is required to maintain active membership.

B. An active member who is not actively working due to layoff, illness, disability, or a contractually provided leave of absence, and has applicable recall, reemployment or other employment rights which have not expired under the collective bargaining agreement, or who has been discharged and has a grievance pending under the collective bargaining agreement may elect (1) to continue to pay dues and maintain active membership for the period for which said recall, reemployment or other employment rights are valid or said grievance is pending, (2) to apply for another classification of membership provided for in this Article, if eligible, or (3) to apply for a withdrawal card.

C. Active members shall enjoy all rights and privileges of membership in this Local Union and in the International Union including, without limitation, the right to vote at all meetings and in all elections or referenda, to be nominated for and hold any office provided they have been in continuous good standing for at least the preceding twelve (12) months, and to be elected a delegate to the International Union Convention, if otherwise qualified under this Local Union Constitution and Bylaws.

SECTION 5

NON-ACTIVE MEMBERSHIP.

A. An individual is eligible to be a non-active member of this Local Union if that individual is a former active member of this Local Union, including an individual who has retired from the position which made them eligible to be an active member, who desires to maintain membership in this Local Union. Receipt by this Local Union of whatever dues or fees it may establish for non-active members that are currently due is required for an eligible individual to become a non-active member. Continued payment of such dues and fees is required to maintain non-active membership. One half of any such dues or fees shall be paid to the International Union at the same time that per capita are due, but not in excess of the applicable per capita.

B. Non-active members may attend and address Local Union meetings at the discretion of the Local Union President. Such person shall have no voice or vote in International Union or Local Union affairs, nor shall they be nominated for or hold an International Union or Local Union office or Executive Board position, or be elected a delegate to the International Union Convention.

SECTION 6

ASSOCIATE MEMBERSHIP.

A. This Local Union may establish an associate membership classification which is consistent with any action concerning an associate membership classification by the Executive Board of the International Union.

B. Associate members may attend and address Local Union meetings at the discretion of the Local Union President. Such person shall have no voice or vote in International Union or Local Union

affairs, nor shall they be nominated for or hold an International Union or Local Union office or Executive Board position, or be elected a delegate to the International Union Convention.

SECTION 7

Any action or decision by this Local Union, its Executive Board, officers or committee concerning membership status can be appealed to the International Union Executive Board after the matter has been addressed by the Local Union Executive Board and Local Union membership. Persons wishing to appeal the ruling of the Local Union to the International Union Executive Board can receive a copy of the International Union's Appeal Procedure by contacting the Secretary-Treasurer of the International Union.

ARTICLE VI

Meetings

SECTION 1

- A. Regular meetings of the membership of this Local Union shall not be required.
- B. The President may schedule meetings of the membership as he/she deems appropriate and shall determine the time, location, and format for such meetings.

SECTION 2

Twenty Percent (20%) of the Local Union's members in good standing shall constitute a quorum for any membership meeting. No membership meeting shall be called to order unless such quorum is present.

SECTION 3

A membership meeting shall be called upon a request submitted to the President by not less than twenty percent (20%) of the members in good standing.

SECTION 4

The Secretary-Treasurer shall provide notice of any membership meeting, stating the purpose for such meeting, to all members at least seventy-two (72) hours before the meeting convenes. The notice shall include a proposed agenda for the meeting. Such notices may be sent by electronic means.

SECTION 5

No action of the membership shall be deemed valid or binding unless such action is taken by the membership at a meeting held pursuant to the provisions of this Constitution and Bylaws.

SECTION 6

Only members fulfilling the requirements of Articles V and XX of this Constitution and Bylaws shall be eligible to attend meetings of this Local Union and to participate to the extent set forth in those Articles; except that invited guests of the Executive Board or of this Local Union may attend and participate to the extent of the purpose for which they are invited, but shall not vote.

Section 7

Membership meetings may be conducted in person, via the internet, telephone, or by way of other secure electronic or telecommunications method, or any combination of these means. In order to conduct any membership meeting by any of the above means, the Executive Board must insure compliance with the following provisions:

1. Access to such meetings must be limited to Local 108 members and approved guests only.
2. All meeting participants must be able to hear all proceedings, debate and discussion.
3. For meetings not held in person: (a) a procedure must be in place for all participants to be able to be recognized for the purpose of participating in discussion or debate; (b) the individual presiding at the meeting must introduce all participants being recognized; and (c) all members must be given adequate advance notice of instructions regarding how they can participate in the meeting.
4. When appropriate to do so, all participants must be able to address the entire assembly during discussion or debate.
5. A procedure must be in place for all eligible participants to vote and for appropriate vote counting.

ARTICLE VII

Officers and Duties

SECTION 1- General

- A. The Local Union shall have the following officers: President and Secretary-Treasurer.
- B. All officers, stewards, and employees of this Local Union shall be bonded under a bond approved by the Secretary-Treasurer of the International Union.
- C. Every officer and employee of this organization, other than an employee performing exclusively clerical or custodial service, shall file with the Secretary of Labor, U.S. Department of Labor, a signed report, where necessary, conforming in all respects to the requirements of Section 202 of the Labor-Management Reporting and Disclosure Act of 1959 and all pertinent rules and regulations thereunder.

SECTION 2 - President

- A. The President shall preside at all membership meetings and all Executive Board meetings; shall preserve order during deliberations; when required sign all checks drawn on the treasury; appoint all committees not otherwise ordered; transact such other business as may of right pertain to the office of the President and which may be necessary to the proper functioning of this Local Union; and shall have such other powers and duties as are provided for in this Constitution and Bylaws.
- B. The President shall make a report at each Executive Board and Local Union membership meeting. The President shall perform such duties as may be required by the Executive Board. The President shall by virtue of the office serve as a delegate from this Local Union to all International Union Conventions, Professional Helicopter Pilots Association (PHPA) Conferences, Southwestern Educational Conferences and Louisiana State AFL-CIO Conventions, and such other bodies that this Local Union may be affiliated with.

- C. The President shall keep the minutes of all meetings and proceedings of the Local Union and the Executive Board and shall file a copy of all such minutes with the Secretary Treasurer of this Local Union.
- D. The President shall keep copies of all agreements at the Local Union office (if one exists) so that they will be available for inspection by any member or employee whose rights are directly affected.
- E. The President shall sign each collective bargaining agreement negotiated by representatives of this Local Union.
- F. The President shall file a copy of all collective bargaining agreements entered into by this Local Union with the President of the International Union.

SECTION 3 - Secretary-Treasurer

The Secretary-Treasurer shall perform the following duties:

- A. The Secretary-Treasurer shall keep all financial accounts of this Local Union; shall maintain correct and proper accounts of all its members; collect all initiation and reinstatement fees, dues, assessments and fines from members of this Local Union; make all disbursements for this Local Union as provided for in Article XIII of this Constitution and Bylaws; and keep a correct record of all moneys received and expended and prepare financial statements by calendar months to be submitted to the Secretary-Treasurer of the International Union monthly, and to any membership meetings of the Local Union.
- B. The Secretary-Treasurer shall deposit all funds of this Local Union in a bank. Upon the expiration of his/her term of office, the Secretary-Treasurer shall turn over to his/her successor all properties and assets, including funds, books, and records of this Local Union. Before turning over such properties and assets to the successor, the Secretary-Treasurer must see to it that each successor is properly bonded. The Secretary-Treasurer shall turn over all properties and assets, including funds, books, and records, to the Secretary-Treasurer of the International Union or the duly authorized representative when properly called upon to do so.
- C. The Secretary-Treasurer shall transmit monthly to the Secretary-Treasurer of the International Union all financial obligations owing to the International Union not later than the fifteenth (15th) day of the following month. The Secretary-Treasurer shall follow such accounting and reporting procedures as shall be formulated by the Secretary-Treasurer of the International Union. The Secretary-Treasurer shall be required to make monthly reports to the Secretary-Treasurer of the International Union of all dues-paying members on forms prescribed by the Secretary-Treasurer of the International Union.
- D. The Secretary-Treasurer shall be required to include in each monthly report the name and address of all newly initiated and reactivated members; and members who have withdrawn, died, or have been suspended, including members automatically suspended for three (3) months' delinquency in dues, or expelled; and the names of all persons to whom working permits were issued during the month.
- E. The Secretary-Treasurer shall sign each collective bargaining agreement negotiated by representatives of this Local Union.
- F. The Secretary-Treasurer shall maintain a copy of all meeting minutes and proceedings of the Local Union for a period of five (5) years and shall make those records available to any member, or to the President of the International Union, upon request.
- G. The Secretary-Treasurer shall be properly bonded by a bonding company and under a bond approved by the Secretary-Treasurer of the International Union.

- H. The Secretary-Treasurer shall, regularly check the requirements of Section 201 (a) of the Labor-Management Reporting and Disclosure Act of 1959 to ascertain whether any changes have occurred which will cause the information required to be filed to be reported to the Secretary of Labor, U.S. Department of Labor, at the time of filing annual financial reports as required in subsection I of this Section and as required by Section 201(b) of the Labor- Management Reporting and Disclosure Act of 1959.
- I. The Secretary-Treasurer shall file annually with the Secretary of Labor, U.S. Department of Labor, a financial report containing the following information in such detail as may be necessary to disclose this Local Union's financial conditions and operations for its preceding fiscal year:
 - 1. Assets and liabilities at the beginning and end of the fiscal year;
 - 2. Receipts of any kind and the sources thereof;
 - 3. Salary and other direct or indirect disbursements (including reimbursed expenses) to each officer and also to each employee who, during the fiscal year, received more than ten Five Thousand Dollars (\$5,000) in the aggregate from this Local Union;
 - 4. Direct and indirect loans made to any officer, employee or member, which aggregated more than Two Hundred and Fifty Dollars (\$250) during the fiscal year together with a statement of the purpose, security, if any, and arrangements for repayment;
 - 5. Direct and indirect loans to any business enterprise, together with a statement of the purpose, security, if any, and arrangements for repayment; and
 - 6. Other disbursements made by it including the purposes thereof; all in such categories as the Secretary of Labor, U.S. Department of Labor, may prescribe.
- J. The Secretary-Treasurer shall make available the information contained in the above-mentioned reports to all of the Local Union's members.
- K. The Secretary-Treasurer shall preserve all records in accordance with the provisions of Section 206 of the Labor-Management Reporting and Disclosure Act of 1959, which have been received until these records are at least five (5) years old. The Secretary-Treasurer shall turn over to the successor of the office all such records to be kept until they are at least five (5) years old.
- L. The Secretary-Treasurer shall perform the duties of the President in the absence of that officer, and, in the case of resignation or death of the President, shall perform the duties of the President until such vacancy is filled by the next regular election as provided for in this Constitution and Bylaws. The Secretary-Treasurer shall also preside when called upon by the President at the times when the President may be temporarily unable to discharge the duties vested in the office.

Article VIII

Executive Board

SECTION 1

The Executive Board shall consist of the President and Secretary-Treasurer. Executive Board members shall be elected by a plurality of the voting membership.

SECTION 2

Each member of the Executive Board shall have one (1) vote. The President shall act as Chairperson of the Executive Board. In the event of a tie vote on matters before the Executive Board, the President's vote shall prevail.

SECTION 3

Two (2) members of the Executive Board shall constitute a quorum, and such quorum shall have power to transact all business of the Executive Board. Regular meetings of the Executive Board shall be held once every six months. Meetings of the Executive Board may be conducted in person, by telephone conference or other electronic means.

SECTION 4

The Executive Board shall conduct the affairs of the Local Union in the intervals between membership meetings and is empowered to authorize and perform all acts for the conduct of the Local Union's business between membership meetings.

SECTION 5

The Executive Board may engage legal counsel and determine the compensation for such services.

SECTION 6

The Executive Board may appoint temporary organizers for a period of time to be determined by the Executive Board but not to exceed the term of the Executive Board and shall determine the compensation for such services.

SECTION 7

The Executive Board shall act as the Trial Board of the Local Union and shall have the authority to appoint one or more members of the Local Union to also serve on the Trial Board provided that there shall always be an odd number of at least three (3) Trial Board members.

SECTION 8

The Executive Board shall authorize employment of such assistance as it deems necessary for the proper conduct of the Local Union's business and shall determine the compensation for such employees.

SECTION 9

The number of stewards for each company and their apportionment shall be determined by the Executive Board.

SECTION 10

Any officer or member of the Executive Board as enumerated in Section 1 of this Article who fails to attend three (3) successive meetings, without being excused from such attendance by the Executive Board, shall be deemed to have forfeited such office, and the remaining Executive Board member, pursuant to Article XXII, may appoint a successor for the balance of the unexpired term; provided, however, that if the office of the President is thus declared vacant the Secretary-Treasurer shall perform the duties of the President until such vacancy is filled by an election as provided in Article IX.

Article IX

Elections

SECTION 1

General

- A. It shall be the aim of the Local Union to elect to the Executive Board the most capable members of the various groups comprising the membership of the Union.
- B. No person who has been convicted of, or served any part of a prison term resulting from the conviction of robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, violation of narcotics laws, murder, rape, assault with intent to kill, assault which inflicts grievous bodily injury; or a violation of Title II or III of the Labor Management Reporting and Disclosure Act of 1959, or conspiracy to commit any such crimes, shall serve as an officer, member of the Executive Board or similar governing body, business representative, business manager, organizer, or other employee (other than as an employee performing exclusively clerical or custodial duties) of this Local Union during or for thirteen (13) years after such conviction or after the end of such imprisonment, unless prior to the end of such thirteen (13) year period, in the case of a person so convicted or imprisoned,
1. The citizenship rights, having been revoked as a result of such conviction have been fully restored, or
 2. The Board of Parole of the United States Department of Justice determines that such person's service in any capacity referred to in the above clause would not be contrary to the purposes of the Labor Management Reporting and Disclosure Act of 1959.

SECTION 2

Terms Of Office

The officers of this Local Union and the members of the Executive Board shall be elected by the membership and shall hold office for a term of three (3) year(s).

SECTION 3

Nominations

Nominations for officers of this Local Union and members of the Executive Board shall be conducted by mail and/or e-mail in the month of October 2018, and every three (3) year(s) thereafter. Nominations must be made in writing and must specify the office for which the individual is being nominated. In order for a nomination for a particular office to be valid, an individual must be nominated by at least one active member (as defined in this Constitution and Bylaws). Individuals may nominate themselves for any position. Nominations must be returned by the time and/or date specified in the notice of nominations in order to be considered. All persons validly nominated shall indicate their acceptance or declination of their nomination in writing, including but not limited to e-mail, within ten (10) days after issuance of an acceptance/declination form. If no response is received within this time frame, the nomination will be considered declined. No member may accept the nomination for or be a candidate for more than one officer position in an election. If an individual accepts his or her nomination for more than one office, said individual shall be deemed to have declined all nominations. Notice of nomination shall be given by the Secretary-Treasurer of this Union to all members in good standing to their last known e-mail address and/or last known home mailing address.

SECTION 4

Elections

The officers of this Local Union and the members of its Executive Board shall be elected by the membership in an election conducted in November 2018 and every three (3) years thereafter. The election may be held in person or by mail ballot as determined by the Executive Board.

SECTION 5

No member of this Local Union shall be permitted to vote unless in good standing in the Local Union.

SECTION 6

No person shall be elected or appointed to an office or the Executive Board of this Local Union unless such person has been a member of this Local Union in continuous good standing for at least the preceding twelve (12) months.

SECTION 7

No member shall hold more than one (1) of the offices specified in Section 1.A. of Article VII at one and the same time.

SECTION 8

The names of all candidates may be placed on the ballot by slate designation for each office. However, a duly nominated candidate will have the right to run as an independent candidate.

SECTION 9

The candidate(s) receiving the greatest number of votes for the respective offices shall be declared elected.

SECTION 10

No votes for any member who is not duly nominated and listed on the ballot may be counted by the Election Board (i.e., No sticker or write-in candidates).

SECTION 11

There shall be no proxy voting allowed.

SECTION 12

All officers and Executive Board members shall be inaugurated promptly after their election and shall assume office immediately after such inauguration. Before entering upon the duties of their respective offices, the newly elected officers shall subscribe to the following installation obligation:

"I, _____, do solemnly pledge my word and honor before these witnesses that I will, to the best of my abilities perform the duties of my office. At the close of my official term, I will turn over to my successor all books, records, and all other properties, including funds of this Local Union that may be in my possession. I will also deliver all such properties to the International Union upon lawful demand. I will at all times devote my efforts to further the objectives and best interests of my Union."

ARTICLE X

Election Board

SECTION 1

An Election Board of three (3) members in good standing shall be appointed by the Executive Board after nominations for officers have been completed. The Executive Board shall have the right to appoint any clerical help required by the Election Board.

SECTION 2

The Election Board is charged with the duty of conducting the election of officers and Executive Board members of the Local Union. It shall make such regulations as shall assure the members of a fair and honest election. Any candidate shall have the right to have an observer of the election process as provided for by federal law.

SECTION 3

The Election Board shall have the duty of enforcing the right to vote of the members and shall see that such right of franchise is not interfered with or hindered by anyone.

SECTION 4

The Election Board shall examine the membership status of all members before permitting them to vote, and shall compare the said status with lists to be supplied by the Secretary-Treasurer.

SECTION 5

After an election has been held and the report of the Election Board has been rendered, all election records and ballots shall be turned over to the Secretary-Treasurer for safekeeping among the records of the Local Union for not less than one (1) year.

SECTION 6

- A. A recount may be ordered upon presentation to the Executive Board of a petition signed by Twenty Percent (20%) of the members of the Local Union in good standing. The petition must be presented to the Executive Board within fourteen (14) days after the election, and this petition shall enumerate the reasons why such members believe a recount should be held. Upon receipt of a recount petition, the President shall call a special meeting of the Executive Board to consider such petition. If the Executive Board rules that a recount should be held, it shall proceed to appoint a Recount Committee of disinterested members of the Local Union to conduct the recount. If the Executive Board denies the petition, it shall make a report of its ruling to the membership. It shall require a majority vote of the membership at a meeting convened pursuant to Article VI, Section 3 to reverse the Executive Board's decision. Said meeting must be convened within thirty (30) days of the Executive Board's denial. Absent the convening of such a meeting, the decision of the Executive Board shall stand.
- B. The installation of all newly elected officers and Executive Board members shall not be held until a final disposition has been made on the petition for a recount and/or an actual recount.
- C. If the membership meeting reverses the Executive Board's decision, the matter shall revert to the Executive Board and it will appoint a Recount Committee. No candidate elected or defeated shall be eligible for membership on the Recount Committee, but any candidate shall be permitted to attend all meetings of the Recount Committee as an observer. The Recount Committee shall

report its findings to the membership. If a report of the Recount Committee declares that their tabulation shows that a defeated candidate has actually been the recipient of the greatest number of votes cast for that office, the candidate actually receiving the greatest number of votes shall be declared elected.

ARTICLE XI

Election Offenses

Any member found guilty by the Election Board or Trial Board of tampering with ballots, illegal voting, committing fraud, violence, coercion, or other conduct not included in the foregoing which in any manner interferes with an election or member's right of franchise shall be subject to expulsion, suspensions or fine by the Election Board or Trial Board.

ARTICLE XII

Finances

SECTION 1

- A. The regular dues of the membership of this Local Union shall be one percent (1%) of the member's base salary, exclusive of any bonuses, additional workover compensation or any other additional compensation.
- B. The initiation fee for applicants for membership shall be Forty Dollars (\$40.00).
- C. When, in the judgment of the President of the International Union, it shall be deemed to be in the best interests of the International Union to waive initiation or reinstatement fees in whole or in part in connection with any particular organizing campaign, the President of the International Union shall be empowered to waive such fees if this Local Union shall so request.

SECTION 2

Withdrawal Card Reciprocity

- A. Any former member of a union affiliated with the American Federation of Labor and Congress of Industrial Organizations and the Canadian Labour Congress not under the jurisdiction of the International Union who accepts employment under the jurisdiction of this Local Union shall, upon application for membership and irrevocable surrender of an honorable withdrawal card or evidence of honorable termination of membership in those instances where unions do not issue withdrawal cards, and upon payment of the current month's dues, if accepted for membership in this Local Union be inducted into this Local Union, without payment of any initiation fees. Any such evidence of such an applicant shall be surrendered to the Secretary-Treasurer of the Local Union, who shall forward same to the Secretary-Treasurer of the International Union in lieu of initiation fees on such applicant. This section shall only apply to unions affiliated with the American Federation of Labor and Congress of Industrial Organizations and the Canadian Labour Congress, which have a reciprocal plan of accepting withdrawal cards from Local Unions of the Office and Professional Employees International Union in lieu of an initiation fee.
- B. Any member of this Local Union who secures employment under the jurisdiction of any other union affiliated with the American Federation of Labor and Congress of Industrial Organizations or the Canadian Labour Congress not under the jurisdiction of the International Union and who is thereby required to become a member of such other union, may retain membership in this Local Union.

SECTION 3

Any member, who becomes three months arrears in dues, shall be classified as a "suspended" member, and not in good standing. Such suspended member must pay a reinstatement fee of Twenty-Five Dollars (\$25.00), together with all dues up to and including the current month before good standing status can be regained in the Local Union.

SECTION 4

- A. All proposals for assessments and increases of dues must be presented to the Executive Board. If the Executive Board approves of an assessment or such increase of dues, the motion shall be incorporated in its minutes to be read to the next membership meeting. There can be no vote or discussion on the subject of the assessment or dues increase at that meeting, but the subject shall be held over until the succeeding membership meeting for discussion. The meeting notice for the succeeding meeting shall contain a statement informing the members of the nature of the proposal and that a vote will be taken at that membership meeting. A majority vote, by secret ballot, shall be required to constitute acceptance of the proposed assessment or dues increase. Notice of such meeting shall be given by the Secretary-Treasurer to all members in good standing not less than fifteen (15) days prior to the date of such meeting.
- B. This Local Union shall not assess its members more than one dollar (\$1.00) per member per month, or more than four dollars (\$4.00) per member in any fiscal year, except that in emergency situations this Local Union may make additional assessments with the permission of the President of the International Union.
- C. All assessments are subject to the approval of the President of the International Union in advance of being levied.

SECTION 5

No initiation fee shall be required by this Local Union of any person involuntarily inducted into the armed services of the United States or Canada or entering such services during emergency periods as determined by the International Union Executive Board, if such person applies for membership within a period of one (1) year after being discharged, provided it has been other than a dishonorable discharge and further provided that the employment within the jurisdiction of this Local Union is the person's initial employment following such service.

ARTICLE XIII

Use of Funds

SECTION 1

The funds of this Local Union may not be divided in any way among individual members and can be utilized only for valid Local Union purposes.

SECTION 2

The general fund shall be used for the payment of expenses incurred by this Local Union on behalf of its membership primarily for organizing, defense, service, and administration of collective bargaining agreements and as a depository for its moneys.

SECTION 3

All disbursements shall be made by checks drawn on the general fund or pursuant to other written authorization approved by the Executive Board. All checks shall be signed by the Secretary-Treasurer and countersigned by the President. Should the Executive Board approve the disbursement of funds by means other than checks drawn on the general fund, the Secretary-Treasurer and the President of this Union shall confirm in writing the specific obligations of the Local Union which these officers authorize for payment.

SECTION 4

The fiscal year of this Union shall be the twelve (12) month period ending with the last day of the month of December of each year.

SECTION 5

The per capita tax, initiation fees, reinstatement fees, Strike Benefit and Defense Fund, Convention Fund, Educational Fund and other obligations owed by this Local Union to the International Union shall constitute a preferred claim and must be paid promptly by this Local Union each month prior to the payment of any other obligation of this Local Union.

SECTION 6

Per capita tax payments as established by the Professional Helicopter Pilots Association (PHPA) shall be made monthly to the Secretary-Treasurer of PHPA at its headquarters.

SECTION 7- Loans

No Officer of the Local Union may make or cause to be made a loan of any Local Union funds to any person. This section shall not prohibit the use of Local Union Credit Cards to make purchases for conducting the business of the Local Union. Local Union credit cards are not for personal use. This section shall not prohibit the Executive Board from investing Local Union funds at an institution insured by the United States Government in instruments with guaranteed rates of return.

ARTICLE XIV

Auditing of Books

On an annual basis, the Local Union shall have an audit conducted in accordance with generally accepted auditing standards by a certified public accountant in the United States and such audits shall be reported to the Local Union and a copy of the audit provided to the Secretary-Treasurer of the International Union.

ARTICLE XV

Prohibited Activities

SECTION 1

In any case involving disciplinary action there shall be no resort to a court of law until such relief within the Local Union under its Constitution and Bylaws, and within the International Union under its Constitution, has been exhausted.

SECTION 2

Any member may be penalized for committing any one or more of the following offenses:

- A. Publicizing or giving information about Local Union affairs to persons not entitled to such information;
- B. Working for an employer against whom the Local Union has declared a strike or whom the Local Union has declared to be unfair unless permission has been granted by proper officers of the Local Union;
- C. Working for less than the rate of pay provided for by the applicable collective bargaining agreement;
- D. Failure to appear before the Local Union Executive Board or the Trial Board when ordered to do so;
- E. Obtaining membership through fraudulent means, or by misrepresentation;
- F. Violation of the oath of membership, or oath of office if an officer;
- G. Working in the interests of any organization or a dual union opposed to the interests of this Local Union;
- H. Being present or entering a meeting of members of the Executive Board while intoxicated, or disturbing the peace of any such meeting by creating or participating in disturbances, or of similar conduct in and about the headquarters of the Local Union;
- I. Causing or participating in a stoppage of work because of any alleged grievance or dispute without the authorization of this Local Union or its proper officers;
- J. Any acts of misconduct, which are detrimental to the best, interests of the Local Union, or of conduct unbecoming a member of the Local Union; or of violation of any of the provisions of the Constitution and Bylaws of this Local Union or of the Constitution of the International Union.

SECTION 3

Any member, who has been found guilty of any of the above offenses or for violation of the International Union Constitution by the Trial Board may be penalized in accordance with the International Union's Uniform Disciplinary Procedure, which is available through the Secretary-Treasurer of the International Union.

ARTICLE XVI

Trial Board Procedures

SECTION 1

Local Unions in the United States may discipline their members or officers only as permitted by federal law, for violation of the International Constitution or the Local Union Constitution and Bylaws, or for engaging in any activity or course of conduct, which is deemed to be contrary or detrimental to the welfare or best interest of the Local Union. Uniform procedures adopted pursuant to the International Union Constitution, including rights of appeal to insure full compliance with applicable law, are available to any member upon request to the Secretary-Treasurer of the International Union.

SECTION 2

None of the foregoing is applicable to any matter involving delinquency or failure to pay dues. As provided in Article XII, Section 3 any member of this Local Union who becomes three (3) months' delinquent in such dues payment shall be automatically suspended.

ARTICLE XVII

Applicants

SECTION 1

No applicant shall be barred from membership in the Local Union because of race, color, religion (creed), disability, age, gender, gender expression, gender identity, sexual orientation, national origin, marital status or military status.

SECTION 2

All applicants shall take the following oath:

"I _____ pledge my honor before these witnesses to faithfully comply with the Constitution and Bylaws, Constitution, laws, and all amendments thereto of Office and Professional Employees International Union, Local No. 108, and of the International Union."

ARTICLE XVIII

Procedures at Meetings

SECTION 1

The President of this Local Union shall act as Chairperson at all meetings of the Membership and Executive Board. Except as otherwise provided in this Constitution and Bylaws, the rules contained in the latest edition of Robert's Rules of Order, currently entitled Robert's Rules of Order Newly Revised, 11th Edition, shall apply at all meetings of this Union.

SECTION 2

Members requesting to speak at a membership meeting must first be recognized by the Chairperson and shall make that request by stating their name and place of employment.

ARTICLE XIX

Removal of Officials

SECTION 1

All officers, Executive Board members, and all members of all standing committees are deemed "officials" within the purview of this Article.

SECTION 2

Any official who has been found guilty of any of the following offenses shall be removed from office, and in addition may be subject to a proper penalty which may include reprimand, fine, suspension, prohibition from running for Local Union office, and/or expulsion:

- A. Dishonesty in the conduct of such office, fraud, corruption, accepting any bribes or intimidation of any members;
- B. Abuse of office or gross negligence in the conduct of such office;
- C. Conduct unbecoming an official of this Local Union;
- D. Holding membership or working in the interests of any Communist, Fascist or Nazi organization, or of any organization engaged in subversive activity.

SECTION 3

No impeachment proceeding may be entertained unless there has been a petition filed with the Executive Board, signed by thirty percent (30%) of the members in good standing. The petition shall state the specific offense with which the official is charged, as well as a brief statement sufficient to apprise the Executive Board of the charge being preferred.

SECTION 4

The Executive Board shall act as the Trial Board in all proceedings under this Article. Any official under charges by virtue of any impeachment petition shall be automatically barred from acting as a member of the Trial Board.

SECTION 5

The Trial Board shall follow the same procedure as provided for in Article XVI in any impeachment proceeding.

SECTION 6

Any official found guilty of violating any provision of this Article shall have the rights to appeal set forth in the International Union's Uniform Disciplinary Procedure and Appeal Procedure. Pending any such appeal, the decision of the Trial Board shall become effective upon issuance unless stayed pending appeal by a majority vote of the Trial Board.

ARTICLE XX

Withdrawal and Military Service Cards

SECTION 1

- A. This Local Union shall issue a withdrawal card to any active member who is leaving the jurisdiction of this Local Union or the International Union, and who at the time of the request for same is in good standing, with all obligations to the International Union and the Local Union paid, including the current month in which the withdrawal card is requested.
- B. A withdrawal card shall be issued by this Local Union to any active member requesting it who is leaving the jurisdiction of the International Union.

SECTION 2

- A. Any person bearing a withdrawal card shall not be entitled to participate in the operation of this Local Union.
- B. A person bearing a withdrawal card who has complied with the conditions of the same, shall upon resuming work within the jurisdiction of this Local Union, deposit such card with the Secretary-

Treasurer of this Local Union and shall be admitted to membership in this Local Union without the payment of any initiation or other fee. Upon deposit of a withdrawal card with the Secretary-Treasurer of this Local Union and re-admission to membership in this Local Union, the member's eligibility to vote or to run for office shall be the same as provided for in Articles V and IX governing the rights and privileges of members.

SECTION 3

The provisions of this Article section shall not apply to any member who holds office in, or is employed by the International Union, any of its Local Unions or councils, any federation or council of labor organizations with whom the International Union or any of its Local Unions is affiliated, or any central body with whom any Local Union is affiliated, or to any member entitled to benefits under any health, welfare, or pension plan whose continued coverage is conditioned upon union membership, or to any member who, in the regular course of employment has become retired, or to any unemployed member seeking dispatch to a union job through the facilities of the Local Union.

SECTION 4

Withdrawal cards shall be issued by the Secretary- Treasurer of this Local Union, and monthly reports of all such cards issued, deposited or canceled shall be made to the Secretary-Treasurer of the International Union.

SECTION 5

Members entering the armed services of the United States or Canada during emergency periods as determined by the Executive Board of the International Union and who are in good standing with all obligations to the International Union and this Local Union paid, including the month in which they entered the armed services, shall be issued military service cards which shall continue their membership without the payment of dues or other fees for the period of the service required by such emergency periods and for an additional ninety (90) day period or until they again resume work within the jurisdiction of this Local Union, whichever occurs first, except that such persons shall only accrue rights to benefits to the extent determined by this Local Union.

SECTION 6

All withdrawal and military service cards shall be secured by this Local Union from the Secretary-Treasurer of the International Union.

ARTICLE XXI

Strikes

SECTION 1

This Local Union shall not call a strike against an employer, or employers, unless the active members in a bargaining unit of the Local Union employed by such employer, or employers, conduct a secret ballot vote to call a strike, which must be approved by a majority vote of those active members held within thirty (30) days prior to the scheduled day of the strike. Prior to taking a strike vote, the members shall be fully informed of and consider the most recent bargaining positions of the employer and the Local Union. Before or after the members vote to call a strike, the Executive Board of the Local Union must vote to grant strike sanction of such strike, and the approval of the President of the International Union shall be obtained. If the Local Union seeking to call a strike is a member of a Council organized under Article XVII of the International Union Constitution, the International President shall consider the opinion of the Council as to whether or not a strike shall be sanctioned by the International Union. Approval of the President of the International Union shall not be construed as approval, ratification, or participation by the International Union in any particular activity of the Local Union involving such strike and shall imply no more than that such strike is not contrary to the best interests of the International Union, its Local Unions, and its members.

SECTION 2

Strikes against any employer, or employers, may be terminated if a majority of the members of the Local Union employed by such employer, or employers, so request by secret ballot.

ARTICLE XXII

Vacancies in Office

In the event any vacancy is created by the resignation or removal of an officer of the Local Union, the Executive Board shall be empowered to appoint a successor to fill the balance of the unexpired term, and such appointee shall hold office until the next regular election for that office.

ARTICLE XXIII

Limitations on Committees

SECTION 1

In addition to any committees and boards established by this Constitution and Bylaws, this Local Union shall provide for such other standing committees, and, from time to time such special committees, as may be proper and necessary to conduct the business of this Local Union.

SECTION 2

In establishing such other committees, the duties of the committee, the extent of its authority, and the permissible amount of expenditures that may be made by such a committee must be made a part of the minutes. In any event, such committees shall not be permitted to exercise functions belonging to other committees or boards; shall not make or authorize expenditures without the prior approval of the membership; and shall not exceed the authority granted to them by the membership. The President shall be an ex officio member of all committees.

ARTICLE XXIV

Affiliations and Delegates

SECTION 1

This Local Union shall be affiliated with: (i) the Professional Helicopter Pilots Association (PHPA); and (ii) the educational conference embracing its geographical jurisdiction as designated by the International Union Executive Board.

SECTION 2

This Local Union may be affiliated with central labor organizations, councils, departments or federations chartered by or affiliated with the American Federation of Labor and Congress of Industrial Organizations and the Canadian Labour Congress and/or the Office and Professional Employees International Union.

SECTION 3

Delegates to the aforesaid central labor organizations, councils, departments or federations shall be appointed by the President.

SECTION 4

Each delegate to a Convention of the Office and Professional Employees International Union must have been in continuous good standing in the Local Union for at least twelve (12) months prior to the convening of the Convention. Each C o n v e n t i o n delegate, other than the President who is a Convention delegate by virtue of the office as provided in Article VII, shall be selected by a secret ballot vote of the Local Union. Notice of any such meeting where Convention delegates shall be elected shall be given to all members in good standing not less than fifteen (15) days prior to the date of such meeting.

SECTION 5

Delegates shall attend the meetings or sessions of the body or assembly to which they have been delegated, faithfully represent this Local Union and protect its interests, and properly present and support its declared policies and instructions. They shall report to this Local Union the proceedings of the organization to which they were delegates and perform such other duties as pertain to their office.

ARTICLE XXV

International Constitution

The Constitution of the International Union shall be the paramount law governing the affairs of this Local Union, and all provisions of said International Union Constitution insofar as the same are or may be applicable to the affairs and activities of this Local Union are hereby, by reference thereto, incorporated into and made a part of this Constitution and Bylaws, and any provision contained herein which is contrary to or in conflict with the provisions of the International Union Constitution shall be inoperative and of no effect except as the International Union President may otherwise specifically approve.

ARTICLE XXVI

Amendments

SECTION 1

A proposed amendment to this Constitution and Bylaws may be introduced by the Executive Board, or by a petition containing the proposed amendment which has been signed by at least thirty percent (30%) of the members in good standing. Such petition must be presented to the Executive Board before it can be considered by the membership.

SECTION 2

The proposed amendments shall be submitted to the membership for a vote by a mail ballot. Prior to the vote, the text of the amendment(s) and a statement informing the members of the nature of the proposed amendment(s) shall be sent electronically to those members who have provided to this Local Union an electronic method by which they can be reached and by U.S. Mail to members who have not provided an electronic method by which to be reached. A vote of two-thirds (2/3) of those eligible members voting shall be required to constitute acceptance of the proposed amendment to this Constitution and Bylaws, except that changes in dues, initiation fees and reinstatement fees shall require only a majority vote of those members voting on any such issue.

SECTION 3

No amendment to this Constitution and Bylaws shall take effect until the approval of the President of the International Union has been secured.

ARTICLE XXVII

Compensation

SECTION 1

Any member specifically instructed by the Local Union to perform any particular service in its behalf and acting in accordance with such instructions shall be reimbursed for all actual salary loss experienced and may be compensated for actual expenses incurred.

SECTION 2

The officers of this Local Union and the members of its Executive Board are volunteers and as such shall receive no compensation, except that they may receive a monthly stipend, subject to approval of the membership and shall be reimbursed for their reasonable and necessary expenses in performing their duties.

ARTICLE XXVIII

General Provisions

SECTION 1

Copies of all collective bargaining agreements entered into by this Local Union shall be filed at International Union headquarters, and all such agreements, together with such information as may be necessary for a proper understanding of the agreement, shall be submitted to the President of the International Union. Whenever possible this information shall be provided in electronic format. The International Union assumes no responsibility for any agreement to which it is not an actual party.

SECTION 2

The International Union assumes no responsibility for acts or actions of this Local Union, its officers or members not expressly directed or authorized by the International Union or its duly authorized representatives.

SECTION 3

If any provision of this Constitution and Bylaws is held to be illegal or invalid in a final judgment of a court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

ARTICLE XXIX

Effective Date

This Constitution and Bylaws shall be effective as of the day the International Union ends the voluntary trusteeship which began on January 1, 2014.

OATH OF OFFICE

"I, _____, do solemnly pledge my word and honor before these witnesses that I will, to the best of my abilities, perform the duties of my office. At the close of my official term, I will turn over to my successor all books, records and all other properties, including funds, of this Local Union, that may be in my possession. I will also deliver all such properties to the International Union upon lawful demand. I will at all times devote my efforts to further the objectives and best interests of my Union."

Revised Local 108 Constitution & Bylaws (12-29-15)