

United Government Security Officers of America

UGSOA LOCAL 309 By-Laws

- I. The name of this organization is United Government Security Officers of
- II. America Local 309.

II. Duration of this labor organization shall be in perpetuity.

III. PURPOSE:

The purpose of this organization is to represent employees who function as Security Officers within the jurisdiction of Local 309.

The purpose of this organization is to represent employees with respect to wages, hours and other terms and conditions of employment where they are employed and to organize unorganized Security Officers.

The purpose of this organization is to obtain fair play and justice at work for all Security Officers. The organization utilizes primarily the process of collective bargaining, but also improved public understanding, of the function and role of the union, to support legislation in the interest of working people and to secure fair play and professional treatment for Security Officers at work and in their relations with the contract companies.

IV. AMENDMENT:

These By-Laws may only be changed by a show of hands vote by three fifths of the membership of the voting organization present at the Union meeting, by a thirty (30) day written notice posted on the Union bulletin board that a vote on the By-Laws shall be conducted.

V. JURISDICTION:

This Union shall have the power to organize Security Officers/Guards within the meaning of the National Labor Relations Act throughout the United States.

VI. MEMBERSHIP:

Section 1

Membership shall be open to all persons assigned to Colorado, who are employed in good standing in the district and jurisdiction of Local 309. The support of the International Constitution and Government of the United States is mandatory.

Section 2

A member shall be automatically expelled on the last day of the second month in which the member ceases to pay uniformly required initiation fees, dues and assessments. The member must be notified in writing via certified mail that his /her payments are in arrears. Members may, if they leave the employ of an employer covered by a collective bargaining agreement, apply for an honorable withdrawal card, provided, that no member is entitled to an honorable withdrawal card if he or she accepts employment within the jurisdiction of the organization for an employer not under a collective bargaining agreement unless the organization is in the process of attempting to organize said bargaining unit.

Section 3

It shall be the duty and responsibility of all members to uphold the principles of trade unionism, to faithfully comply with these By-Laws and to take no action in violation of the By-laws or inconsistent with their precepts.

VII. ORGANIZATION:

The supreme authority on this labor organization shall be the membership. Between meetings of the membership, the President shall be the Chief Executive Officer of the organization and shall have all the authority necessary to function in this capacity. At the next general membership meeting, the members shall have the right to challenge any said decision. The membership of this organization shall have regular meetings, not less frequently than once each calendar quarter, and may have meetings more frequently as determined by the Executive Board.

VIII. OFFICERS:

Section 1

The officers of this labor organization shall be one President, one Vice President, and one Secretary/Treasurer, Recording Secretary, Two Trustees, one Sergeant-at-Arms, one Business Agent.

Section 2

To be eligible for election to any office in this labor organization, a member must have been in continuous good standing in the local for one year immediately preceding election, this requirement is waived for new Locals. The local may waive the time restrictions if nobody within the above guidelines is interested in holding a position, by vote of the current executive board.

Section 3

No member shall simultaneously hold two offices in this organization.

Section 4

All members in good standing are eligible for appointment to committees.

Section 5

The Executive Board of this labor organization shall consist of all officers, except that any member who ceases to be in good standing shall automatically lose his or her seat on the Executive Board and his or her office.

Section 6

All vacancies in office shall be filled until the next regular election by appointment by the President and approved by the Executive Board.

Section 7

The President of the Union may appoint stewards from time to time in such number as may be necessary provided each steward serves at the sole discretion of the President of the Union and each may be removed in his or her discretion.

Section 8

It shall be the duty of the President to preside at all meetings of the Union, to sign all checks (which require a minimum of two signatures), to enforce the provisions of these By-Laws and to appoint all committees, to enforce all collective bargaining agreements and generally to administer the affairs of the organization.

Section 9

It shall be the duty of the Vice President to assist the President in the discharge of his or her duties in the absence or incapacity of the President, to assume his or her duties. The Vice President may sign checks in the absence of either the President or the Secretary/Treasurer. In the event of the President's resignation or incapacitation, the Vice President shall assume the office of the President and appoint a new Vice President, both to remain as such for the remainder of the current term.

Section 10

It shall be the duty of the Secretary/Treasurer to receive all dues, initiation fees, assessments and fines and all other income and to properly account for the same through the maintenance of books and records according to generally accepted accounting principles. The Secretary/Treasurer shall make a report at each regular meeting of the membership as to the financial condition of the organization. The Secretary/Treasurer shall keep an inventory of all property of the organization. The Secretary/Treasurer shall sign all checks. The Secretary/Treasurer shall also keep accurate record of all meetings and proceedings of the organization and maintain full and complete files of all documents sent to or received by the organization. The Secretary/Treasurer shall also maintain a file of all present and past collective bargaining agreements between the organization and any employer.

Section 11

Trustees shall be appointed and have oversight responsibilities for all funds and property of the organization. They shall either audit the books and records of the organization or retain an accountant to do so, not less often than once in each calendar year. A report of any such audit shall be made to the membership at the next regular meeting.

Section 12

Of position within the company shall immediately resign their position with the local.

Section 13

All Officers and stewards of the union shall be compensated (at the current rate of pay, plus Health and Welfare as set forth by the Collective Bargaining Agreement) for time spent representing membership on union issues, conducting all union business, grievances, and any Articles of the CBA. This is to include compensation for mileage, meals, and time lost. At no time shall any officers or stewards be compensated while receiving payment from any other sources.

Section 13(a)

The Union may maintain an office of operation for the purpose of conducting Union business, to include meetings and housing of Union records. This premise will not be designed to maintain any fulltime or part-time staff, but rather to be utilized on as needed basis. This premise shall be in a centralized location as near as possible to the area of the most concentrated Union activity.

IX. STRIKES:

Section 1

No strike shall be called by the organization without the affirmative vote of two-thirds majority of those present and voting within the applicable collective bargaining unit. This shall be a very last and final resort. The International President must approve all strikes.

Section 2

No strike shall be called without the prior approval of the Executive Board.

X. ELECTIONS:

Section 1

Elections of officers shall be held once each three calendar years or more often as voted by the membership. The latest Election would have been held on 08-10-2013 but was waived because no members ran against the current officers. All elections of officers shall be conducted by Secret Ballot.

Section 2

To be eligible for the election to office, a member must have been in continuous good standing for a period of not less than one year at the time of the election, this requirement is waived for new Locals. Good standing for the purpose of election to office shall mean payment of all initiation fees, dues, fines and assessments required. Good standing shall also mean compliance with all provisions of these By-Laws and one will not be in good standing who has been found guilty by a trial board within the last year of a violation of any provision of these By-Laws or obligation of membership.

Section 3

The local shall establish an elections committee to establish the rules to the election. No member that is running for office can participate in the elections process.

The election committee shall provide reasonable notice of the nomination process to each eligible member with the following information, Offices to be filled, the date and time for submitting nominations, the place and form for submitting nominations, whether written, orally from the floor or by some other method. The notice can be mailed to the last known address, posted on the union board, or emailed to each eligible member.

Once nominations are completed the elections committee shall send an election notice to the last known address of each member eligible to participate in the election no less than 15 days prior to the election. There is no exception to sending the notices to the last known address. The election notice shall have the date, time, location of the elections and offices to be filled.

The nomination and election notice can be sent at the same time as long as the union allows

reasonable time for nominations. If sent together the notices must be mailed to the last known address.

Section 4

Any member in good standing shall be eligible to nominate candidates for office.

Section 5

In the event only one person is running for a particular office, that person shall be deemed elected by acclamation.

Section 6

In the event an office is vacant, any member in good standing shall be eligible to nominate candidates or office.

Section 7

All those in good standing on the first day of the month of the election shall be eligible to vote.

Section 8

Incoming officers shall be installed immediately following their election at the next general membership meeting.

Section 9

All election requirements shall be in compliance with the LMDRA.

XI. DUES:

Section 1

To be in good standing, a member must pay all initiation fees, all regular and uniformly assessed dues and assessments and any such fines which may be outstanding against him or her. The initiation fee shall be in such amount as set by the membership of \$10.00 (Not to exceed \$40, with a minimum of \$10) with one-half of the initiation fee to be paid to the International.

Section 2

All dues relative to full time employees shall be in the amount equivalent to one hour of straight time pay per month to the International and a minimum of one hour straight time per month to the Local. Share Time dues shall be in the amount equivalent to one hour of straight time pay per month to the International and one hour of straight time per month to the Local.

The amount paid as dues may be increased or decreased for the local only, by the membership voting by secret ballot at any membership meeting. A prior written notice of fifteen days to each member at his or her last known address shall be deemed sufficient notice. Assessments shall be set by the membership in the same fashion as the dues are set.

Section 3

All initiation fees, dues, assessments and fines must be actually received by the Secretary/Treasurer on or before the 30th day of the month for which the dues are due, provided, if the member's dues are paid pursuant to a check off with the employer, said dues will be considered timely received when the check of remittance is received from the employer.

Section 4

Union seniority shall accrue during union membership and while paying union dues or Beck Fees. If a member stops paying dues for any reason, his/her Union seniority shall stop. Upon an employee that begins paying dues again, his/her Union seniority shall continue but be adjusted forward for the time not paying dues. Union members shall continue to accrue Union seniority while on leave.

Section 5

The expenditure of funds in excess of \$1000.00 shall require the prior approval of the membership. Arbitration costs and costs associated with attending International training seminars, the International Union's National Convention and costs associated with negotiations are exempt from this section.

Section 6

The Union officers shall decide when and if any grievance is taken to arbitration.

Section 7

Union officers may be sent to training seminars held by the International Union from time to time. The costs are to be paid by Local Union funds. This section is exempt from Article XI Section 5.

Section 8

LM reports are the sole responsibility of the local union. The required LM1 shall be filed within 90 days of certification as well as annual LM reports that are required to be filed per the DOL guidelines.

XII. COLLECTIVE BARGAINING AGREEMENTS:**Section 1**

All collective bargaining agreements shall be negotiated by members of the Executive Board along with any rank and file committee established for such purpose. No collective bargaining agreement shall be effective until ratified by a majority of the members actually voting on same at a regular or special meeting and is signed by the International Union.

XIII. CHARGES AND TRIALS:**Section 1**

Charges may be filed against any officer for violation of his or her duties in office.

Section 2

Charges may be filed against any member for violation of the obligations of these By-Laws.

Section 3

Charges must bear the signature of three members and must clearly set forth the basis of the charge. Charges must be sent certified mail, Delivery Confirmation to the Secretary/Treasurer of the organization. Upon receipt of the charges, the Secretary/Treasurer shall immediately transmit a copy thereof to the President of the organization and shall serve a copy via certified mail, delivery confirmation upon the member or members against whom the charges are preferred.

Section 4

The Executive Board shall serve as the trial committee to hear evidence and to make a final decision provided that if any member of the Executive Board is directly interested in the charges, he or she shall not serve, but a replacement by a majority vote of the Executive Board remaining.

Section 5

The President shall serve separate notice by certified mail, delivery confirmation, advising member or members of when the trial body will meet, which shall be at a time, date and place certain and not less than fifteen (15) days after the notice of hearing is sent. The notice shall be sent to the last known address of the member.

Section 6

The trial body shall establish its own rules of procedure relating to the conduct of the trial and shall advise the parties of them.

Section 7

Charges must be preferred against a member not more than sixty (60) days following the time when the charging member knew or reasonably should have known of the offence giving rise to the charge.

Section 8

A member charged may be represented at the trial by another member in good standing, but no attorney or counselor at law shall represent either the charging member or the charged member.

Section 9

If a member is found guilty as charged, or of a lesser or included offense, the member may be punished by fine, expulsion, or any such other penalty as is consistent with these By-laws, the principles of trade unionism and the charges.

Section 10

The trial body shall issue its written decision within fifteen (15) days of the close of the hearing.

Section 11

If a member is found guilty, he or she may appeal the decision of the trial body to the full membership of the organization by serving his or her appeal document by certified mail, delivery confirmation, on the Secretary/Treasurer of the Organization. Any such appeal must be sent within ten (10) days of the receipt of the trial body's decision. The appeal document shall set forth fully the basis of the appeal.

Section 12

At the next regular membership meeting thereafter, the full membership of the organization shall consider and make a final and binding decision of the trial body, the membership must vote to reverse by three-fifths (3/5) of those actually present and voting.

Section 13

Charges may be brought against any officer or member for the following offenses:

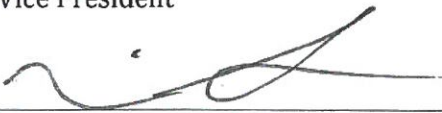
1. Malfeasance in office by an officer.
2. Crossing any validly established picket line of this organization.
3. Misappropriation or embezzlement of union funds.
4. Conduct detrimental to the organization.
5. Conduct inconsistent with any policy taken by the membership of this organization at a meeting of the membership.

Adopted on (fill in date) May 3, 2014

Signed: President



Vice President



Secretary/Treasurer



International President

