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# **TWU-LOCAL 555 BY-LAWS**

## **PREAMBLE**

These By-Laws are the legal document which establishes the Transport Workers Union of America (TWU) Local 555. These By-Laws provide the mechanism through which all Members are represented both individually and collectively, thereby, providing for responsible leadership and, at the same time, retention of control of the Local by the Membership.

## **ARTICLE ONE**

### **GENERAL**

#### **SECTION ONE: NAME AND AFFILIATION**

- A. This name of the organization shall be the Transport Workers Union of America Local 555. Whenever the term "LOCAL" is used, it shall refer to and mean Southwest Airlines Ramp, Operations, Provisioning, and Cargo work group known as TWU Local 555. Whenever the term "Local" or "Union" is used, it shall refer to and mean TWU Local 555. Whenever the term "TWU" or "International" is used, it shall refer to and mean Transport Workers Union of America International.
- B. The jurisdiction of the Local shall include line stations where Southwest Airlines operates within the United States and such other areas as may be deemed necessary by the Local Executive Board.
- C. This Local shall be affiliated with the State and Local AFL-CIO Councils, and such other Central Bodies and Councils as may be deemed necessary by a majority vote of the Executive Board.

#### **SECTION TWO: LOCATION**

The general office and headquarters of the Local shall be in the Dallas - Fort Worth area. The headquarters may be changed by action of the Local Executive Board, in accordance with the applicable provisions of the By-Laws.

#### **SECTION THREE: DURATION**

The duration of the Local shall be perpetual, or until it is dissolved as provided for in the TWU Constitution.

#### **SECTION FOUR: PURPOSE**

- A. To unite in this Union, regardless of race, creed, color, gender, sexual orientation, nationality or marital status all workers eligible for membership.
- B. To protect the individual and collective rights of the Members of the Local and to promote their professional interests.
- C. To disseminate information which enhances the professional status of the Membership.

D. To Establish and exercise the rights of collective bargaining for the purpose of making and maintaining employment agreements covering working conditions for the Members of the Local.

**SECTION FIVE: LOGO**

The official logo of the Local shall be that approved by the TWU International Union.

**SECTION SIX: OBLIGATION OF MEMBERS**

Members of the Local accept and agree to abide by the TWU International Constitution and the Local's By-laws as they are in force, amended, changed, or modified, in accordance with the provisions of such Constitution and Bylaws.

**ARTICLE TWO**

**STRUCTURE**

**SECTION ONE: GOVERNMENT**

The TWU Constitution and these By-Laws shall govern all business relevant to the Members of the Local.

**SECTION TWO: GOVERNING BODIES**

The governmental powers of the Local shall be vested in the Local Executive Board (the "Board") and the Officers, in accordance with the laws provided herein. The final control of the Local shall be vested in the Membership.

**SECTION THREE: OFFICERS**

The Officers of the Local shall be: President, 1<sup>st</sup> Vice President, 2<sup>nd</sup> Vice President, Financial Secretary-Treasurer, Recording Secretary, and District Representatives. Officers are required to attend all Executive Board Meetings and answer the roll call. The Executive Board will accept excusable absences. The Executive Board, by two thirds (2/3) majority vote of the Executive Board, can suspend any Officer who misses more than two (2) Executive Board Meetings within a twelve (12) month period, for unexcused absences, in accordance with the provisions of Article XXI of the TWU Constitution.

**SECTION FOUR: AMENDMENTS**

The By-laws may be altered by two-thirds (2/3) vote of the Executive Board present, and a majority vote of the membership present and subject to approval by the International Union.

## **SECTION FIVE: LOCAL EXECUTIVE BOARD (the "BOARD")**

- A) The Board shall consist of the elected Local Officers and District Representatives.
- B) The Board shall convene for the transaction of business a minimum of six (6) times a year on a date and location determined by the President. Special meetings of the Board may be called by the President or will be called within fourteen (14) days upon written request of twenty-five percent (25%) of the Board. There shall be no restrictions of business conducted at any meeting of the Board.
- C) The Board shall have all powers including but not limited to those specified in these By-Laws and the International Constitution. Except as limited in these by laws and the Constitution, it has the power to make general decisions regarding the governing of the Local, provided that those decisions which the members make shall take precedence when appropriate, in accord with the TWU Constitution, and further provided that the exercise of those powers delegated exclusively to specified officers by the TWU Constitution shall not be subject to review by the Executive Board.
- D) Board Members shall carry out such other duties as may be properly delegated or assigned to them by the President.
- E) Local Executive Board Meetings shall be governed by Robert's Rules of Order (Revised).
- F) Officers are required to attend all Executive Board Meetings and answer the roll call. The Executive Board will accept excusable absences, such as previously scheduled vacation and Arbitrations. A running tally of each Executive Board Member's attendance record at Executive Board Meetings will be included in the minutes.
- G) Other than specifically provided for in the By-Laws, all action by the Executive Board shall be decided by a majority vote of the Board present.
- H) At a meeting of the Board, it shall be necessary that a minimum of two-thirds (2/3) of the elected Board Members be represented to constitute a quorum.
- I) Side agreements to existing labor contracts may be executed by the President with the written approval of the Board. A two-thirds (2/3) majority vote by the Board shall be required. Side agreements may be executed in this manner provided that they have no direct effect on any economic benefit provided by the labor contract or conflict with any provisions of the contract. Any side agreement affecting these items requires a majority vote by the Membership casting ballots.
- J) At a meeting of the Board, a District Representative or his/her designee, possessing authorization from the absent representative, shall have and exercise all rights and privileges as a member of the Board at such meeting. Appointed alternate district representatives may vote on any matter with the approval by the Board.
- K) The Board shall have the power to add, realign, augment, or terminate a district upon a vote of two-thirds (2/3) of the Board at a meeting called for that purpose after reasonable notice.
- L) A vote to determine whether to take a termination grievance to arbitration will require a 50% (tie) or more to pass.

## **SECTION SIX: BILLS, NOTES, CHECKS, FINANCIAL DOCUMENTS**

- A) All bills payable, notes, checks, or other negotiable instruments of the Local shall be made in the name of the Local and shall be signed by the President and shall be counter-signed by the Financial Secretary-Treasurer. In the absence of the President, the 1<sup>st</sup> Vice President and the Financial Secretary-Treasurer may sign.

- B) The books of the Local shall be maintained by the Financial Secretary-Treasurer. The Financial Secretary-Treasurer may exercise this responsibility through an independent professional bookkeeper at his/her discretion.
- C) All books, ledgers, reports and audits shall be maintained in a secure place for a minimum of seven (7) years.
- D) Budget
  - 1) An operating budget shall be established by the Local Executive Board at least two months prior to each fiscal year. The budget and all reports and forms shall be in accordance with the rules and regulations established by the International Administrative Committee as set forth in the International Constitution at Article XVI
  - 2) In the event of unforeseen extraordinary expenses, the budget may be amended by the Local Executive Board provided that notice to the membership is provided at the next duly noticed meeting.
- F) Management of Financial Assets
  - 1.) Extreme care must be taken in the placement of the Local's funds to ensure that contingency funds do not become illiquid to the point that they would be unavailable in an emergency. The following guidelines should be applied to investment of funds budgeted for reserve for contingencies.
    - a) Forty percent (40%) available immediately
    - b) Thirty percent (30%) available within thirty (30) days
    - c) Thirty percent (30%) available within sixty (60) days
- G) Reports and Inspections
  - 1) An audit of the Local's books shall be performed by a Certified Public Accounting Firm and the results of that audit made available to the Membership at the end of each fiscal year. The Board may, at its discretion, appoint an internal audit committee to examine any aspect of the Local's finances.
  - 2) The financial records of the Local shall be made available for inspection by an active Member, provided the Member gives written notice to the Financial Secretary-Treasurer at least two (2) weeks prior to the date he/she wishes to conduct such inspection. All requests for inspections of the financial records must specify the Person(s) and time period and must be done at the Union Headquarters.
- H) Lost Time
  - 1) Local Officers and other Members who are required by the President to perform duties for the Local that require a release from their normally assigned duties as a fleet service employee, with a subsequent loss of income, shall be directly compensated for that loss of income by the Local on the date which such Member would normally be paid by the Company. This reimbursement may be accomplished through the Company payroll system or by direct payment to the individual.
  - 2) Lost Time is budgeted annually. Authority to pay lost time is controlled by the President.
  - 3) Lost Time in the annual budget shall include lost time for districts.
  - 4) The Local's Financial Secretary-Treasurer shall verify all lost time monthly. A written monthly record shall be kept by the Financial Secretary-Treasurer of all fleet service Employees by

name, date, location and total lost time paid by the Local.

- 5) In any year in which a contribution is made to the Profit Sharing Trust and/or Employee Stock Ownership Plan (ESOP) of an air carrier under contract to the Local, a Member who has his total income from such air carrier reduced by replacement payments from the Local shall be reimbursed by the Local an amount equal to that which he would have received in Profit Sharing and/or other qualified reimbursement will be made when the statements are received by the trustee and in accordance with the following formula:

Total Profit Sharing and/or another plan:

$$\begin{array}{l} \text{Payments by Company} \quad \times \quad \text{lost Time + Tax} = \\ \text{REIMBURSEMENT} \\ \text{(*Total Taxable Income)} \quad \quad \quad \text{(Loss Received)} \\ \text{*Total Taxable Income from Member's W-2 Form} \end{array}$$

If all Lost Time was paid through the Company payroll system, or a cash contribution is accepted by the Company to the fund, this individual formula will not be used. Reimbursement will be made to the Company by the Local and is a budgeted item.

## **ARTICLE THREE**

### **MEMBERSHIP**

#### **SECTION ONE: QUALIFICATIONS AND RULES OF MEMBERSHIP**

- A) All Employees employed by an air carrier and who are represented by the Local, and not considered management, shall be eligible for and required to maintain Membership in the Local.
- B) Employees who are probationary Employees shall be eligible for and required to maintain Membership during the first full month following completion of such employee's probationary period. An initiation fee of \$85.00 will be charged on a one-time basis for all new members.
- C) Members delinquent in any assessments for more than sixty (60) days will suspend their right to vote, introduce or discuss any item of business at any meeting, suspend their right to the privileges and protection afforded Members of the Local, until such time as the delinquency is removed. Employees shall be allowed to reinstate their privileges upon return to non-management duties without paying further back dues.
- D) Dues obligations of members in good standing who are on leave or furlough from the company shall be handled in accordance with Article XVII, Section 4 of the TWU Constitution and applicable law.
- E) Active Local Members are entitled to participate in all Local activities and are entitled to all of the rights, privileges, and benefits of membership.
- F) It will be the responsibility of each individual Member of the Local to provide his current mailing address and telephone number, and to provide the Local with any change that occurs regarding this information within thirty (30) days of any change.
- G) No Member shall make a collection in the name of the Union, regardless of its purpose, without prior approval of the Local Executive Board.

## **SECTION TWO: DUES AND DUES DETERMINATION**

- A) A Member's obligation for dues shall commence as of the date of eligibility for active Membership. Dues shall be paid on a semi-monthly basis through authorized payroll deduction.
- B) Dues shall be as determined by the Board and shall be expressed as a percentage of base salary. Dues must comply with the TWU Constitution and any change in the dues percentage must be approved by the International Administrative Committee (IAC).
- C) It shall be the duty of the Board to conduct an annual review of the dues structure of the Local to determine if the dues structure should be revised. The Board shall also establish the financial goals of the Local, supervise their implementation, and make financial recommendations to the Membership.

### **ARTICLE FOUR**

#### **OFFICERS & STATION REPRESENTATIVE DUTIES AND RESPONSIBILITIES**

##### **SECTION ONE: OFFICERS**

###### **A) President**

The President shall notify the Officers of all regular and special meetings of the Board. He/she shall be the authorized representative of the Local and shall select and supervise all committees and committee activities.

The President shall also serve as the Chief Executive Officer and Chair of the Board. The President shall insure that the Districts conduct business meetings as necessary. He/she shall, subject to the approval of the Board, appoint and remove, employ and discharge agents and Employees of the Local, other than duly elected Officers. He/she shall sign notes, checks, drafts, or bills of exchange; warrants or other orders for the payment of money duly drawn by the Treasurer; enforce the TWU Constitution and the Local's By-Laws; sign any agreement entered into between the Local and any other organization; carry out any other duties the Local may request; supervise the activities of the Local and shall render an Annual Report to the membership. The President or the President's designee may arrange for an individual Member to be absent from her/his regular assigned work, at the expense of the Union, for the purpose of assisting the President in conducting the affairs of the Local Union. The President shall be responsible for the staffing of the Local office. The Executive Board will approve all full-time staff.

###### **B) Vice Presidents**

The Vice Presidents shall assist the President in the discharge of his duties in such manner and extent as the President shall determine.

The 1<sup>st</sup> Vice President shall perform the duties of the President in the absence of the

President. He/she shall also preside when called upon by the President and at times when the President may be temporarily unable to discharge his/her duties. In the event of a vacancy in the office of President, the Local Executive Board will designate the 1<sup>st</sup> Vice President to act as President for the unexpired term. In the event of a vacancy of 1<sup>st</sup> or 2<sup>nd</sup> Vice President, an election shall be held to fill the vacancy. If the un-expired term is eighteen (18) months or less, the office shall be filled by the Board. It shall also be the duty of the Vice Presidents to inform the President of responsibilities under the TWU Constitution and the Local's By-laws.

**C) Financial Secretary-Treasurer**

The Secretary-Treasurer shall receive all monies paid into the Local Union. He/she shall keep records of the Local's finances pursuant to the rules and regulations established by the International Administrative Committee. He/she will be responsible for all financial books and records. He/she, will maintain all financial books and records for not less than five years, at the Local's Headquarters. He/she shall report monthly to the Local Executive Board and to the International Secretary/Treasurer. He/she shall submit all records at least once a year to a Certified Public Accountant and will forward the name and address of the Certified Public Accountant who is to conduct the audit to the International. He/she or his/her successor will present this audit upon completion to the Local Executive Board and to the Membership. The Secretary-Treasurer shall compile and file all financial reports as required by law and the Membership. He/she shall sign all financial instruments of the Local as required by these By-Laws. He/she shall prepare and submit under his/her signature all Federal and State reports required under law. He/she shall perform all duties required by the Executive Board.

**D) Recording Secretary**

The Recording Secretary shall take charge of all records of Membership and effects of the Local. He/she shall keep a record of all proceedings at all regular and special meetings of the Board. He/she shall assist the President in preparing an Annual Report to the members of the Local. He/she shall cause to be kept the Local's Membership records so as to show at all times the number of Members, their names, their respective places of residence, and their post office addresses. He/she shall represent the Local at all new hire orientation classes. Should there be a need, the President may approve a designee to represent the Local in the case the Recording Secretary is unable to.

In the event of a vacancy in the offices of 1<sup>st</sup> Vice President, 2<sup>nd</sup> Vice President, Recording Secretary or Financial Secretary-Treasurer, an election shall be held. If the un-expired term is eighteen (18) months or less, the office shall be filled by the Board. The President, 1<sup>st</sup> Vice President, 2<sup>nd</sup> Vice President, Financial Secretary-Treasurer and/or Recording Secretary will report to the union office as necessary to perform their duties.



**E) District Representative**

It shall be the duty of the District Representatives to call and preside at any meetings of the District, to preserve order during its deliberation, to appoint all committees, not otherwise ordered by the district, to authorize expenditures of any budgeted funds and to administrate the Local's domicile duties.

**SECTION TWO: APPOINTED REPRESENTATIVES**

The Alternate District Representatives shall perform the duties of the District Representative in the absence of that Officer and in case of removal, resignation, or death of that representative, until an election is held. He/she shall also preside when called upon by the District Representative and at times when the District Representative may be temporarily unable to discharge his/her duties. The Alternate District Representative shall assist the District Representative at all times in the discharge of all duties. The Alternate District Representative must reside in the District in which he/she shall serve as such. The appointed Alternate District Representative, at the discretion of the Local Executive Board, may serve as a voting member of the Board in the event of an approved Leave or vacation of the District Representative. If the un-expired term is eighteen (18) months or less, the office shall be filled by the Board.

**Station Representatives**

It shall be the duty of the Station Representative to call and preside at any station meetings, to preserve order during its deliberations and to appoint all committees not otherwise ordered by the district.

**MAP & Communications Coordinator**

The President may appoint a Member Assistance Program (MAP) Coordinator and Communications Coordinator, subject to the approval of the Local Executive Board. These coordinators shall perform duties assigned to them by the President or the Board and shall provide a written monthly report to the Board.

**ARTICLE FIVE**

**BONDING**

The Officers of the Local shall be bonded in amounts not less than those provided for and required by appropriate Federal statute.

## **ARTICLE**

### **SIX**

#### **ELIGIBILITY & TERM OF OFFICE**

##### **SECTION ONE: ELIGIBILITY**

The positions of President, 1<sup>st</sup> Vice President, 2<sup>nd</sup> Vice President or Financial Secretary Treasurer shall be held by any active Member of the Local, employed by the Company and having successfully completed the Company designated probationary period, and must have been a member in good standing in the Union for the preceding year.

The position of Recording Secretary or District Representative may be held by any active Member of the Local who is employed by the Company and having successfully completed the Company designated probationary period, and who has been a member in good standing in the Union for the preceding year.

##### **SECTION TWO: TERM OF OFFICE**

- A) Terms of office will start on April 1 of the respective year of each election.
- B) The term of office for the President, 1<sup>st</sup> Vice President, 2<sup>nd</sup> Vice President, Recording Secretary, Financial Secretary-Treasurer, District Representatives, and Station Representative shall be for three (3) years.
- C) Assistants to the Station Representatives shall be appointed by the Station Representative and the exact number of Assistants decided by the individual station. Station Representatives and Assistants shall be appointed by the District Representatives and the exact number of Assistants decided by the individual stations.

##### **SECTION THREE: DELEGATE SELECTION**

Each officer described in these By-Laws, and elected pursuant to the procedures herein, is deemed to be elected as an ex officio delegate to the International Convention held by the TWU International.

## **ARTICLE SEVEN**

### **REMOVAL AND RECALL**

- A) Upon receipt of a written petition signed by two-thirds (2/3) of the members in good standing

of the Local Union, District or Station requesting the recall or removal of an officer of the Local, District or Station, the recording secretary of the Local shall issue a call for a special election to be held within not less than fifteen (15) days and not more than thirty (30) days after the presentation of such petition to recall or remove said officer and validation of signatures on the petition.

In the event that a majority of the members of the Local Union, a District or Station vote for the recall or removal of said officer, his/her office shall be declared vacant.

- B) An officer removed pursuant to the provisions of this article shall have no right of appeal except only as to procedure.

## **ARTICLE EIGHT**

### **COMMITTEES**

- A) The President shall have the authority appoint committees in accordance with the TWU Constitution, Article XVI, Section 1.
- B) District Representatives may appoint committees for work within their respective District with the approval of the Local President and Executive Board.
- C) Station Representatives may appoint committees for work within their respective Station with the approval of the Local President and Executive Board.

## **ARTICLE NINE**

### **AGREEMENT APPROVAL AND VALIDATION**

- A) Conferences or negotiations shall not be initiated, carried on, or concluded in the name of the Local by any Member of any group or Members thereof, to make or establish employment agreements relating to rates of pay, rules, or any other conditions of employment or any other agreements, contracts or documents of a similar or related character, or any other form of agreements, contracts or documents without the prior approval of the President and the Board. and any and every character whatsoever shall not No agreement shall become effective or binding without the signature of the President of the Local or other Local Officers or Officers duly authorized to sign by the Board.
- B) Ratification  
Basic collective bargaining agreements will be submitted by the President and the Board to the Membership for ratification by a majority vote of the ballots (secret ballot) cast prior to final acceptance.

- C) Collective bargaining agreements will only be ratified by the Local Members in the bargaining unit covered by the agreement. The provisions of this paragraph apply only to collective bargaining agreements and to not change Paragraph A, B or C of this Article.

## **ARTICLE TEN**

### **VOTING, NOMINATIONS AND ELECTIONS**

#### **SECTION ONE: VOTING**

Voting shall be a simple majority vote of those Members casting ballots.

#### **SECTION TWO: NOMINATIONS**

INSERT DATES FOR NOMINATIONS/ELECTIONS

The Local Executive Board shall designate an Election Committee of members in good standing that are not candidates for office to conduct nominations and elections.

The Election Committee shall establish Election Rules that govern the nomination and election of officers that comply with these By-Laws, the TWU Constitution and applicable law.

- A) Nominations for the office of President, 1<sup>st</sup> Vice President, 2<sup>nd</sup> Vice President, Recording Secretary, Financial Secretary-Treasurer, and District Representatives will be open at least fifteen (15) days. Requirements of the TWU Constitution and applicable law regarding notice of nominations to members must be complied with.
- B) Any eligible Member may be nominated by another active Member in good standing, with any accompanying second by a different Member in good standing. District Reps must be nominated by a Member from within their District. For the position of Ramp Representative, the nomination can only be made by a Member from the Ramp classification. For the position of a Provisioning Representative the nomination can only be made by a Member from the Provisioning Department. For the position of Ops Representative, the nomination can only be made by a Member from the Ops classification.
- C) Each nominee must verbally accept the nomination prior to the distribution of the ballot.
- D) If only one person is nominated for office, that person shall be deemed elected by acclamation and no further vote is required.

**SECTION THREE: ELECTION**

Notice of Election shall be mailed to each member at their home address in accordance with the TWU Constitution and applicable law.

- A) Election of Officers shall be by a secret ballot.
  
- B) The candidates receiving a plurality of the secret ballot votes cast for each office shall be deemed elected to the office. A Member of the Election Committee will notify the winner via phone. If the winner cannot be reached, a message will be left on their home or mobile phone. After this is done, the results will be released to the Membership and posted on our website.
  
- C) Each candidate will be notified of the date and time when the ballots are retrieved and will be allowed one (1) representative at their own expense to monitor the procedure of retrieving, safeguarding and counting of ballots.
  
- D) Any Member in good standing who believes that he/she has been improperly denied the opportunity to be a candidate for elective office or position or that an election in which he/she was a candidate was improperly conducted, may file a complaint with the Election Committee no later than fifteen (15) calendar days after the results of the election have been made known.
  
- E) The Election Committee shall be responsible for the handling of all election objections and complaints and shall make a complete report of the elections and any complaints received to the Local Executive Board.

**ARTICLE ELEVEN**

**CONDUCT OF MEMBERSHIP MEETINGS**

**SECTION ONE: CONDUCT OF MEETINGS**

- 1) Members desiring to bring up items of business should notify their District Representative of such items in writing at least five (5) days before scheduled meeting date, unless otherwise agreed to by a majority vote of those present, so an agenda item may be prepared.
  
- 2) Items to be voted on must be seconded prior to being voted on.
  
- 3) Each item must be either resolved or tabled before a new item is introduced.
  
- 4) It shall be the duty of the Chair to allow each Member present to discuss any item, but not to monopolize the discussion.

- 5) A Member shall not discuss anything unless recognized by the Chair.
- 6) Members and/or Board members out of order shall be so informed by the Chair and may be required to leave the meeting. Board members required to leave any meeting may be subject to action of the Board as outlined in Article 21 of the Transport Workers Union International Constitution.
- 7) Items of Business submitted in writing to the Chair must be presented for discussion at the meeting.

## **SECTION TWO: PARLIAMENTARY LAW AND RULES OF ORDER**

All questions on parliamentary law and rules of order that are not answered in the Constitution and By-Laws shall be decided according to the principles set forth in Robert's Rules of Order (Revised).

## **ARTICLE TWELVE**

### **MISCELLANEOUS**

#### **RECORDING DEVICES**

All Local Executive Board meetings shall be electronically recorded by the Recording Secretary. The Recording Secretaries recording shall be the only recording relied upon for the official record of Board meetings.

The use of any type of recording devices during Board meetings or membership meetings, other than by the Recording Secretary is strictly prohibited.