25TH CONVENTION 2016

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RESOLUTIONS
GENERAL EXECUTIVE BOARD AND DELEGATE RESOLUTIONS

SUBMITTED TO
THE 25TH CONVENTION
OF THE
LABORERS' INTERNATIONAL UNION OF NORTH AMERICA

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LIUNA GEB RESOLUTIONS

RESOLUTION 1
Approval and Ratification of Constitutional Amendments Adopted by the General Executive Board Following the 24th Convention

IUC, Art. VIII, s. 2(b), permits the General Executive Board to amend the Constitution when, “in its judgment, the exercise of such power is deemed necessary, proper and appropriate.” The provision further provides that “any such new legislation or amendment shall automatically be subject to ratification by delegates to the next general Convention of the International Union.” The GEB’s exercise of this authority since the 2011 Convention has resulted in the following amendments to the Constitution. The date of each of the adoption is each amendment is indicated. Additions to existing language are bolded in red and deletions are struck through.

For purposes of this Resolution, IUC stands for International Union Constitution, ULUC stands for Uniform Local Union Constitution and UDCC stands for Uniform District Council Constitution.

1. May 8, 2012

ULUC, Art. XI, §8 – Charges, Trials and Appeals

Section 8. The matter of conduct of nomination or election of Local Union officers, Officials and delegates is not within the jurisdiction of the Local Union Trial Board.

Any member aggrieved with the nomination process must appeal directly to the General Executive Board within seventy-two (72) hours of the time candidate qualifications are determined by the Judges of Election prior to the holding of the election. Any member aggrieved with the conduct of the election must protest directly to the General Executive Board within fifteen days after the election. All such protests must clearly and specifically set forth the grounds upon which the appellant shall rely. The Board in its discretion may delegate its power and authority hereunder to the General President.

In that event, the General President may refer the matter initially to the General Counsel for preliminary investigation and recommendation. Further, the General President may elect to abstain from deciding a nomination or election protest and may instead refer any such matter to the General Executive Board for decision.

UDCC, Art. XII, §8 – Charges, Trials and Appeals

Section 8. The matter of conduct of nomination or election of District Council officers, officials, and delegates is not within the jurisdiction of the District Council Trial Board.

Any member aggrieved with the nomination and election process must appeal directly to the General Executive Board within fifteen (15) days after the election. All such protests must clearly and specifically set forth the grounds upon which the appellant shall rely. The Board in its discretion may delegate its power and authority hereunder to the General President.

In that event, the General President may refer the matter initially to the General Counsel for preliminary investigation and recommendation.

Referred to the Committee on Constitution and Law
Further, the General President may elect to abstain from deciding a nomination or election protest and may instead refer any such matter to the General Executive Board for decision.

2. May 9, 2012

IUC, Art. XXIII, §3(a) – Miscellaneous Provisions

Section 3(a). Members in good-standing who enter active military service shall continue their good-standing for a period of up to four consecutive years prior to military service, shall continue their prior good-standing provided they report to their Local Union on their return from active military service, within ninety days from deactivation and pay the current month’s dues. Such members shall be deemed to have been regularly working at the calling during the period of active military service within the meaning of Article V, Section 4 of the Uniform Local Union Constitution unless they receive a less than honorable discharge from military service.

3. December 11, 2012

IUC, Art. V, §5 – Conventions and Representation

Section 5. The Credentials Committee shall, prior to and during the Convention, be authorized to examine, pass upon and determine the validity of the credentials of the various delegates, as submitted by their Local Unions or District Councils. The Committee shall report its findings to the Convention and recommend the seating of those delegates that it has credited. The findings of the Credentials Committee shall be subject to review by the Elections Officer, pursuant to Article VII, Section 8 of the International Union Constitution.

4. March 26, 2013

UDCC, Art. I, §2 – Charters

Section 2. When a District Council charter is issued, all Local Unions within its territorial and/or craft jurisdiction shall affiliate and remain affiliated with it.

Its membership shall consist of the members of each Local Union affiliated with the District Council, who are represented by delegates from each Local Union elected in the manner and number hereinafter provided.

UDCC, Art. IV, §1 – Membership and Representation

Section 1. The members of a District Council shall consist of delegates from affiliated Local Unions; each affiliated Local Union shall be represented by delegates, who have been elected to represent the membership pursuant to the provisions dealing with qualifications, nomination and election of officers, as provided for in the Uniform Local Union Constitution, in such numbers as hereinafter provided.

UDCC, Art. VIII, §3 – Taxes, Fees, Assessments and Dues

Section 3. When the territorial and craft jurisdiction of a District Council extends beyond a metropolitan area, where the District Council establishes and regulates the initiation fees and dues payable by members of its affiliated Local Unions, the District Council shall study the economic conditions that may exist in the different sections or area of its territorial and craft jurisdiction; if as a result of such study it finds that variations in economic or other conditions exist, it shall establish and regulate the initiation fees and dues payable by members to its affiliated Local Unions, in accordance with such variations. In conformance with this process, each special convention shall set the initiation fees and dues of
every District Council affiliate whether special convention action results in a change or only in an affirmation of the existing initiation fees or dues charged by any particular affiliate.

5. March 1, 2016

IUC, Art. V, §4 (addition to existing language) – Conventions and Representation

Section 4. With respect to Local Unions combined for the purpose of achieving 300 members, the Business Manager of the larger Local Union, if that Local Union has more than 300 members, (or, for Mail Handlers, President shall have the option of serving ex officio, in which case that delegate shall lack a vote in the election of Officers or on any proposal that would increase member dues. Alternatively, ex officio Delegates from the Local Union of more than 300 members shall have the option of standing for election as a regular delegate and fully authorized voter from the combined Local Union.

IUC, Art. V, §10 – Conventions and Representation

Section 10. The General Secretary-Treasurer shall furnish to each Local Union and District Council blank original and duplicate credentials in such number as hereinabove provided.

After receipt of said credentials, the Secretary-Treasurer shall fill in the names of the duly elected Delegates to the Convention and shall sign both the original and duplicate credentials; the President shall countersign said credentials.

The duplicate credentials shall then be forwarded to the General Secretary-Treasurer by the Secretary-Treasurer of the Local Union not later than the 30th day of June of the Convention year or seven (7) days after the election or re-run election of Convention delegate(s) and by District Councils not later than the 30th day of August of the Convention year or seven (7) days after the election or re-run election of Convention delegate(s).

The original credential shall then be delivered to each duly elected delegate. Each delegate shall register with the Credentials Committee in order to be duly accredited and entitled to a seat in the Convention and as such delegate, shall be entitled to cast one vote.

The General Secretary-Treasurer shall have the option of providing for the electronic registration and credentialing of Convention Delegates if he determines that it would be appropriate and efficient to do so.

IUC, Art. V, §9(e) – Conventions and Representation

Section 9. The nomination and election of Convention Delegates shall be conducted as part of the nomination and election of Local Union officers for Local Unions conducting officer elections in the same calendar year as the Convention. The order of nominations set forth in ULUC, Art. VI, §1(g), shall be followed after which the nominations for Convention Delegates shall be conducted. The conduct of the election itself shall be as provided in ULUC, Art. VI, §§ 3 and 4.

Upon the decision of its Executive Board, a Local Union may conduct its nomination and election of Convention Delegates separately from its regular election of officers. Except as provided herein, In that case, the Executive Board of a Local Union may determine to conduct the nomination and election of delegates to the Convention at the same meeting; unlike the nomination and election of local union officers, which cannot be combined. The said nomination and election of Convention delegates may be held at the same meeting provided that a written notice is shall be mailed to each member in good standing at his last-known address at least fifteen days before said nomination and elec-
tion meeting, indicating the number of delegate positions to be filled and the date, time and place of the nomination and election meeting. The conduct of the election itself shall be as provided for in Article VI, Sections 3 and 4 of the Uniform Local Union Constitution. A Local Union shall not be allowed to combine the nomination and election of delegates to the Convention in the event that, with the General President’s approval, it will combine the election of Local Union officers with the election of Convention delegates.
Additions to existing language are bolded in red and deletions are struck through. For purposes of this Resolution, IUC stands for International Union Constitution, ULUC stands for Uniform Local Union Constitution and UDCC stands for Uniform District Council Constitution.

1. Convention Election Process and Other Convention Matters

1.1 Convention Delegates

*IUC, Art. V, §§ 4(a) & 4(b)(new)*

Section 4. Each Local Union in good standing and having a total membership of at least 300 members, shall be entitled to representation as follows: one delegate for each 300 members, determined by dividing the total membership by 300 and rounding up only for any excess of 0.5 or greater, provided, however, that any Local Union having a total membership of less than 300 shall have its membership combined, for the purpose of election of Convention delegates only, with that of another Local Union designated by the General Executive Board or General President. Local Unions so affected shall be so notified by the General President not later than April 30 of the year in which a regular Convention is to be held. The total membership shall be the average membership for the twelve months ending December 31 of the year immediately preceding the Convention. Each District Council in good standing, and representing 3,000 members or more, shall be entitled to two delegates; all other District Councils in good standing shall be entitled to one delegate.

Delegates selected from the Mail Handlers Division shall be entitled to vote for the nomination and election of candidates for all International Union officers.

The Business Manager of a Local Union elected in conformity with the provisions of Article VI of the Uniform Local Union Constitution shall, by virtue of such election, and subject to the provisions of Article V, Section 4 of the International Union Constitution, serve as a delegate to the regular and special Conventions of the International Union that are convened during the term of office; if a Local Union is entitled to elect more than one (1) Convention delegate, then the Executive Board may, in advance of the nominations of officers, determine that either its President or its Secretary-Treasurer (but not both) shall, by virtue of such election and subject to the provisions of Article V, Section 4 of the International Union Constitution, serve as a delegate to the regular and special Conventions of the International Union that are convened during the term of office. Further, the Business Manager of a District Council elected in conformity with the provisions of Article VI of the Uniform District Council Constitution shall, by virtue of such election, serve as a delegate to the regular and special Conventions of the International Union that are convened during the term of office. If a District Council is entitled to elect more than one (1) Convention delegate, then the Executive Board may, in advance of the nominations of officers, determine that either its President or Secretary-Treasurer (but not both) shall, by virtue of such election serve as a delegate to the regular and special Conventions of the International Union that are convened during the term of office. Should the same individual be elected as Business Manager of both a Local Union and District Council, then such individual shall be deemed a Convention delegate from the Local Union.
The Local President of a Local Union in the Mail Handlers Division, who was elected in conformance with the provisions of the Uniform Local Union Constitution of the Mail Handlers Division providing that Local Presidents will serve as a delegate to the Conventions of the International Union, shall, by virtue of that election, and subject to the provisions of Article V, Section 4 of this International Union Constitution, serve as a delegate to the regular and special Conventions of the International Union that are convened during the term of office. If a Local Union in the Mail Handlers Division is entitled to elect more than one (1) Convention delegate, then the Executive Board may, in advance of the nominations of officers, determine that either its Vice President or its Treasurer (but not both) shall, by virtue of such election and subject to the provisions of Article V, Section 4 of the International Union Constitution, serve as a delegate to the regular and special Conventions of the International Union that are convened during the term of office. This paragraph shall not apply to any Local Union in the Mail Handlers Division having a total membership of less than 300, in which case its membership shall be combined for the purpose of election of Convention delegates with another Mail Handlers Local Union as designated by the General Executive Board upon the recommendation of the National President of the Mail Handlers Division. If a Local is not combined with another and is only entitled to one Convention Delegate, then the Local President shall serve as that delegate and no separate election is required.

Section 4(b). [New] The elected Business Manager of each Local Union of more than 300 members, and each District Council, and the elected President of each Mail Handler Local Union of more than 300 members shall be a delegate ex officio to any Convention convened during their term of office. For Local Unions and District Councils having more than one delegate, the Local Union or District Council may choose prior to the nomination of officers to designate the elected President or Secretary-Treasurer, but not both, as a second delegate ex officio. Any officer entitled to serve as a delegate ex officio from both a Local Union and District Council shall be deemed to be a delegate from the Local Union. A Local Union or District Council under supervision shall not have delegates ex officio.

Mail Handler Local Unions having more than one delegate may choose prior to nominations to designate either the elected Vice President or the Treasurer, but not both, to serve as a second delegate ex officio.

With respect to Local Unions combined for the purpose of achieving 300 members, the Business Manager of the larger Local Union, if that Local Union has more than 300 members, or for Mail Handlers the President shall have the option of serving ex officio, in which case said delegate shall lack a vote in the election of officers or on any proposal that would increase member dues. Alternatively, an ex officio delegate from the Local Union of more than 300 members shall have the option of standing for election as a regular delegate from the combined Local Union.

1.2. Delegate Election Protests

IUC, Art. V, §6

Section 6. Any member aggrieved by the nominations process in that member’s Local Union Convention delegate election or any District Council delegates aggrieved with the nominations process in that delegate’s District Council Convention delegate election must mail the protest directly to the General Secretary-Treasurer of the International Union at LIUNA Headquarters within seventy-two (72) hours three business days of the nominations meeting. Any member aggrieved by the conduct of the election of Convention delegate(s) from that member’s Local Union or any District Council delegate aggrieved by the conduct of the election of delegate(s) from that delegate’s District Council must mail the protest to the General Secretary-Treasurer of the International Union at Headquarters not later than seventy-two (72) hours within ten business days after the election. In the event that nominations and elections have been combined pursuant to Article V, Section 9(e) herein, protests of the nominations or elections must be mailed within seventy-two (72) hours three business days of the election.

Referred to the Committee on Constitution and Law
The General Secretary-Treasurer shall acknowledge such protest and refer the protest to the Credentials Committee for review and decision as a nomination or election protest under IUC, Art. VIII, §2(a-vii).

1.3. Requiring a Second and Acknowledging that Locals Under Supervision Are Entitled to Elect Convention Delegates

IUC, Art. V, §9(b)

Section 9(b). Each Local Union, including Local Unions under supervision but not those under trusteeship, shall nominate and elect delegates to the Convention of the International Union by secret ballot, after receipt of the Convention Call from the General Secretary-Treasurer, in such number as is specified in the Convention Call, not earlier than the month of May nor later than the 30th day of June of the Convention year; self-nominations shall not be allowed. Each nomination shall require a second.

1.4. Limitation on Eligibility to Run as Convention Delegate from District Council

IUC, Art. V, §9(g)

Section 9(g). The delegate(s) to the International Union Convention shall be elected by the District Council in accordance with the provisions of Article VI of the District Council Constitution from among its Local Union delegates, who have been elected thereto. Any person serving as a Convention delegate from their Local Union shall not be eligible for nomination or election as District Council Convention delegate.

2. Trusteeship Hearings

IUC, Art. IX, §7

Section 7. When in the opinion of the General President, action is necessary for the purpose of correcting corruption or financial malpractice, assuring the performance of collective bargaining agreements or other duties of a bargaining representative, restoring democratic procedures or otherwise carrying out the legitimate objects of such subordinate body or the International Union, or to protect the organization as an institution, the General President may file charges against any officer or member with the General Secretary-Treasurer for hearing before the General Executive Board, or appoint a temporary trustee or, in the General President’s sole discretion, a supervisor to take charge and control of the affairs of such subordinate body; provided, however, that prior to the appointment of such trustee or supervisor, the General President shall cause to be issued a notice setting a time and place for hearing for the purpose of determining whether such temporary trustee or supervisor shall be appointed; but provided further, however, that where, when in the judgment of the General President, an emergency situation exists within the subordinate body, a temporary trustee or supervisor may be appointed prior to such hearing, but such hearing shall then commence within 30-45 days and a decision made within 60-75 days after the appointment of such temporary trustee or supervisor; and further provided in all cases the subordinate body shall be advised of the reasons for the proposed or actual appointment of a trustee or supervisor, and that adequate notice of a hearing thereon at least 10 days prior to the date of the hearing shall be given to the subordinate body involved. During the period of trusteeship, all the officers and delegates of the subordinate body are relieved of their particular trust. In the case of supervision, one or more of the officers or delegates may be removed from office at the direction of the General President. The subordinate body and the officers and members thereof shall cooperate with the trustee or supervisor designated by the General President, in order that the purposes of the trusteeship or supervision may be accomplished as soon as
possible. The trustee or supervisor shall be authorized to take full charge of the affairs of the subordinate body, to appoint temporary officers or employees at any time during the trusteeship or supervision, and to take such other action as, in the trustee’s or supervisor’s judgment, is necessary for the preservation of the subordinate body and its interests. The trustee or supervisor shall, from time to time, report on the affairs and transactions of the subordinate body to the General President. The General President may remove trustees or supervisors at any time and appoint successor trustees or supervisors.

The trustee or supervisor, temporary officers and persons employed to carry on the affairs of said subordinate body, during the period of trusteeship or supervision, shall give bond in such form and amount as may be necessary to indemnify against possible financial loss.

The trustee or supervisor shall take possession of all such funds, property, books, records and papers of the Local Union or subordinate body and tender receipt for same. The trustee or supervisor shall pay all outstanding claims, properly proved, if funds are sufficient.

The International Union shall not be responsible for any actions or activities of the Local Union or subordinate body unless such actions or activities have been directed or authorized by the trustee or supervisor and unless such actions or activities were undertaken in the trustee’s or supervisor’s capacity as a representative of the International Union and not in such official’s capacity as a fiduciary of the subordinate body. Actions undertaken by the trustee or supervisor in the capacity of fiduciary of the subordinate body shall not be the responsibility of the International Union unless such actions have been directed or authorized by the International Union.

When it is determined by the General President or the General Executive Board that self-government should be restored, in the case of trusteeship, the trustee shall conduct an election at such time as the trustee shall designate, in conformity with the provisions of the Uniform Local Union Constitution as far as practical and, upon the installation of officers, the trusteeship shall terminate and the trustee shall return all remaining funds, property, books, records and papers to the Local Union or other subordinate body. In the case of supervision, full autonomy shall be restored upon direction of the General President terminating the supervision. Officers of the Local Union who were not removed from office during supervision and whose term of office has not expired or who were re-elected to office during supervision, shall continue in office upon the termination of supervision.

3. Requirement of an Annual Audit by a CPA.

ULUC, Art. IV, §4D(6)
UDCC, Art. VII, §3(g)

ULUC, Art. IV, §4.

D—SECRETARY-TREASURER

Section 4D(6).—The Secretary-Treasurer shall submit the books to the Auditors of the Local Union for inspection once a year or to a Certified Public Accountant when the Local Union has retained such accountant for the purpose of auditing the financial records of the Local Union, and to the General President or a deputy or representative appointed by the General President for such purpose, when requested.

Section 4D (6). For any Local Union with total annual receipts of at least $250,000, the Secretary-Treasurer shall submit the books once a year to a CPA (Certified Public Accountant in the United States, Chartered Professional Accountant in Canada) whom the Local Union has retained for the purpose of auditing the financial records of the Local Union. The audit shall be performed in accordance with applicable generally accepted auditing standards.
For any Local Union with total annual receipts of less than $250,000, the Secretary-Treasurer shall submit the books once a year to a CPA (Certified Public Accountant in the United States, Chartered Professional Accountant in Canada) whom the Local Union has retained for the purpose of conducting either an audit or a review of the financial records of the Local Union.

If the CPA’s audit opinion or review report contains modifications other than (i) a subsidiary not being consolidated or (ii) the financial statements being prepared on a basis of accounting other than full accrual generally accepted accounting principles, a copy of the audit or review shall be sent promptly by the Local Union to the Office of the General President.

Furthermore, if a report on internal controls or a management recommendation letter is issued by the CPA, a copy of that report or letter shall be sent promptly by the Local Union to the Office of the General President.

The Secretary-Treasurer shall also submit the books to the General President or a deputy or representative appointed by the General President for such purpose, when requested.

UDCC, Art. VII, §3(g)

Section 3(g). The Secretary-Treasurer shall submit the books to the Auditors of the District Council for inspection once a year or to a Certified Public Accountant when the District Council has retained such Accountant for the purpose of auditing the financial records of the District Council, and to the General President or a deputy or representative appointed by the General President for such purpose, when requested;

Section 3(g). For any District Council with total annual receipts of at least $250,000, the Secretary-Treasurer shall submit the books once a year to a CPA (Certified Public Accountant in the United States, Chartered Professional Accountant in Canada) whom the District Council has retained for the purpose of auditing the financial records of the District Council. The audit shall be performed in accordance with applicable generally accepted auditing standards.

For any District Council with total annual receipts of less than $250,000, the Secretary-Treasurer shall submit the books once a year to a CPA (Certified Public Accountant in the United States, Chartered Professional Accountant in Canada) whom the District Council has retained for the purpose of conducting either an audit or a review of the financial records of the District Council.

If the CPA’s audit opinion or review report contains modifications other than (i) a subsidiary not being consolidated or (ii) the financial statements being prepared on a basis of accounting other than full accrual generally accepted accounting principles, a copy of the audit or review shall be sent promptly by the District Council to the Office of the General President.

Furthermore, if a report on internal controls or a management recommendation letter is issued by the CPA, a copy of that report or letter shall be sent promptly by the District Council to the Office of the General President.

The Secretary-Treasurer shall also submit the books to the General President or a deputy or representative appointed by the General President for such purpose, when requested.

Referred to the Committee on Constitution and Law
4. Election Process

4.1. Notice of Nominations

ULUC, Art. VI, §1(b)

Section 1(b). No less than seven days 15 days nor more than 30 days prior to said Nomination Meeting, notice thereof shall be mailed to each good-standing member of the Local Union at such member's last-known address, and such notice shall list the offices and positions to be filled and the date, time and place of such meeting;

4.2. Setting of Local Union Salary and Compensation

ULUC, Art. VI, §1(d)

Section 1(d). The salary and compensation to be paid to elected officers or officials shall be fixed at the nominations meeting prior to the nominations or, upon prior written notice to the membership, at the regular membership meeting immediately preceding the nomination meeting; provided that adjustments to salary during the term of office may be effected in accordance with the provisions of Art. IX herein;

4.3. Setting of the Election Date

ULUC, Art. VI, §2(j)

Section 2(j). At the April or May meeting, the membership shall determine and fix the date on which the election shall be held and the place and the hours during which the polls shall remain open.

When this date has been determined, the Secretary-Treasurer shall mail a written notice to the last-known address of each member in good standing, which would inform each member of the date, place and time of election and the list of the offices or elective positions to be filled; such notice to be mailed not less than fifteen days prior to the date of the election.

4.4. Election of Convention Delegates Ex Officio

ULUC, Art. VI, §4(a)

UDCC, Art. IV, §4(a)

ULUC, Art. VI, §4(a)

Section 4(a). All delegates of Local Unions to Conventions of the International Union shall be nominated and elected at the time prescribed in the International Union Constitution. The manner of nominating and electing such delegates to regular Conventions of the International Union, shall be as provided for in Article V, Sections 4 and 9 of the International Union Constitution;

UDCC, Art. IV, §4(a)

Section 4(a). All delegates of District Councils to Conventions of the International Union shall be nominated and elected at the time prescribed in the International Union Constitution. The manner of nominating and electing such delegates to regular Conventions of the International Union shall be as provided for in Article V, Sections 4 and 9 of the International Union Constitution;
4.5. The Setting of District Council Salary and Compensation

UDCC, Art. VI, §2(b)

Section 2 (b). The salary and compensation to be paid to elected officers and officials shall ordinarily be fixed at the nominations meeting prior to nominations; provided that adjustments to salary during the term of office may be effected in accordance with the provisions of Article IX herein;

5. Expulsion of Members

ULUC, Art. III, §1(g)

Section 1(g). No person who has been expelled from one Local Union shall be admitted to membership by the same Local Union or another Local Union, without first obtaining permission from the General Executive Board or the General President of the International Union;

6. Appeals Process for Trial Boards and Elections Disputes

IUC, Art. VIII, §2(a-vii)
ULUC, Art. XI, §8
UDCC, Art. XII, §8

IUC, Art. VIII, §2(a-vii)

Section 2 (a-vii). Delegation of Judicial Powers: The judicial power of the General Executive Board may be delegated by the General President to one or more of its members, with authority to hold hearings on appeals, protests, trusteeships, petitions, charges, or any other matter properly filed with the General Executive Board; when so delegated, such member or members of the General Executive Board shall be known as a Hearings Panel. Said Hearings Panel shall, after due notice, hold hearings and from the evidence adduced, make such Findings of Fact and Recommendations as, in its judgment, it deems proper, which Findings of Fact and Recommendations must then be reported and submitted to the General Executive Board as a whole for determination and decision. Hearings may be in person, by telephone, or by video conferencing.

The findings and recommendations of a Hearings Panel considering a protest or challenge involving an election or nomination shall be submitted to the General President for review and, if concurred in by him, shall be final and binding without referral to the full General Executive Board;

ULUC, Art. XI, §8

Section 8. The matter of conduct of nomination or election of Local Union officers, officials and delegates is not within the jurisdiction of the Local Union Trial Board.

Any member aggrieved with the nomination process must appeal directly to the General Executive Board within seventy-two (72) hours three business days of the time candidate qualifications are determined by the Judges of Election prior to the holding of the election. Any member aggrieved with the conduct of the election must protest directly to the General Executive Board within fifteen ten days after the election.
All such protests must clearly and specifically set forth the grounds upon which the appellant shall rely. The Board in its discretion may delegate its power and authority hereunder to the General President. In that event, the General President may refer the matter initially to the General Counsel for preliminary investigation and recommendation. Further, the General President may elect to abstain from deciding a nomination or election protest and may instead refer any such matter to the General Executive Board for decision.

UDCC, Art. XII, §8

Section 8. The matter of conduct of nomination or election of District Council officers, officials, and delegates is not within the jurisdiction of the District Council Trial Board.

Any member aggrieved with the nomination and election process must appeal directly to the General Executive Board within fifteen (15) ten days after the election. All such protests must clearly and specifically set forth the grounds upon which the appellant shall rely. The Board in its discretion may delegate its power and authority hereunder to the General President. In that event, the General President may refer the matter initially to the General Counsel for preliminary investigation and recommendation. Further, the General President may elect to abstain from deciding a nomination or election protest and may instead refer any such matter to the General Executive Board for decision.

7. Apprenticeship and Metropolitan Area Transfers

IUC, Art. XXI, §1

Section 1. A member of a Local Union shall have the right to transfer membership from the Local Union into another Local Union affiliated with the International Union, provided that at the time of requesting such transfer, the member is in good standing with the Local Union. Transfers between Local Unions affiliated with a District Council in a metropolitan area shall not be required unless a District Council otherwise determines with the concurrence of the General President.

Local Unions maintaining a mandatory apprenticeship program may require transferring members to enter that apprenticeship program with appropriate credit, none, partial or total, based upon experience or demonstration of competency.

8. Military Service

IUC, Art. XXIII, §3

Section 3(a). Members in good standing who enter active military service shall continue their good standing for a period of up to four consecutive years prior to military service, provided they are honorably discharged and report to their Local Union on their return from active military service, within ninety days 120 days from deactivation and pay the current month's dues. Unless they remained current in the payment of their dues while in military service, such members shall not be deemed to have been regularly working at the calling during the period of military service within the meaning of Article V, Section 4 of the Uniform Local Union Constitution, unless they receive less than honorable discharge from military service.

(b) The General Executive Board may also provide that non-member non-member veterans will be veterans may be admitted as members, provided they are honorably discharged and apply for membership within four months 120 days of the date of discharge from military service and pay an initiation fee an amount fixed by the General Executive Board -District Council or by the Local Union for Local Unions not affiliated with a District Council, in addition to the current month's dues. Members veterans who do not avail themselves of the privilege referred to in (a), shall be entitled to the privilege provided in this section.
9. District Council Officers

UDCC, Art. V, §4

Section 4. No two officers or members of the Executive Board shall be from the same Local Union if there are at the time of election seven or more Local Unions in good-standing with the District Council, and if there are fewer than seven, each Local Union shall have one of its delegates on the Executive Board, and the remaining may be elected from the delegates of any Local Union or Local Unions. No two officers shall be from the same Local Union if there are at the time of election eleven or more Local Unions in good-standing with the District Council. A delegate standing as a candidate for any position is not eligible for automatic appointment pursuant to this provision.


10.1 Financial matters.

IUC, Art. VI, §7

Section 7. The salary of the General President shall be four hundred forty-thousand, nine hundred and ninety-five dollars ($440,995.00); five hundred sixteen thousand, six hundred and ninety-seven dollars and sixty-one cents ($516,697.61) a year; the salary of the General Secretary-Treasurer shall be four hundred twenty-three thousand, seven hundred eighty-four dollars ($423,784.00); four hundred, ninety-six thousand, seven hundred and forty-five dollars and forty-five cents ($496,745.45) a year; the annual salary of each Vice President and the salary of the President of the Mail Handlers Division as an ex-officio member of the General Executive Board shall be set at fifty thousand dollars ($50,000.00); fifty-seven thousand, nine hundred and sixty-three dollars and seventy cents ($57,963.70) a year. The General President, with the concurrence of the General Secretary-Treasurer, between Conventions is authorized to increase the aforesaid fifty thousand dollars ($50,000.00); fifty-seven thousand, nine hundred and sixty-three dollars and seventy cents ($57,963.70) in annual salary for Vice Presidents to account for the increase in the cost-of-living, such adjustment not to exceed the percentage of increase in the National Consumer Price Index published by the Bureau of Labor Statistics, United States Department of Labor or based upon other factors deemed appropriate by the General President.

The General President and General Secretary-Treasurer shall each be provided with the use of accommodations purchased or leased by the Union when such officers are in the City of Washington, District of Columbia, in connection with the performance of their duties and responsibilities.

The General Executive Board, between Conventions, is authorized to increase the salaries, benefits or other compensation of the General President or General Secretary-Treasurer to account for the increase in the cost-of-living, said adjustment not to exceed the percentage of increase in the National Consumer Price Index published by the Bureau of Labor Statistics, United States Department of Labor or based upon other factors deemed appropriate by the Board.

The officers shall receive such benefits and compensation, other than salary, as are provided other staff personnel of the International Union or are authorized for such officers by the General Executive Board and shall be entitled to receive awards for their services. The officers shall be reimbursed for all expenses incurred in connection with the performance of their duties and responsibilities.

Travel expenses may also be provided for an officer's spouse who accompanies the officer when the officer travels in connection with the performance of official duties and responsibilities.
IUC, Art. XIII

Section 1. The revenue of this International Union from affiliated Local Unions shall be as follows:

(a) Charter and Initial Supplies ....................................................... $35.00

Monthly Per Capita Tax (including apprentice members and agency fee payers):

Effective January 1, 2012 ............................................................... $16.50
Effective January 1, 2013 ............................................................... $17.00
Effective January 1, 2014 ............................................................... $17.50
Effective January 1, 2015 ............................................................... $18.00
Effective January 1, 2017 ............................................................... $19.00
Effective January 1, 2018 ............................................................... $19.50
Effective January 1, 2019 ............................................................... $20.00

Any affiliate which receives income or revenue from bargaining unit members who do not become members or apprentice members, shall pay a monthly assessment on such unit members to the International Union in an amount equal to the then-applicable per capita for members.

IUC Art. XV

Section 1. The apportionment, distribution and allocation from initiation fees, readmission fees and per capita tax received by the International Union to each of the various Funds shall be as follows:

INITIATION FEES: One hundred percent (100%) thereof shall belong to the General Fund.

READMISSION FEES: One hundred percent (100%) thereof shall belong to the General Fund.

PER CAPITA TAX: Effective January 1, 2012; sixteen dollars ($16.00) thereof shall belong to the General Fund; fifty cents ($0.50) thereof shall belong to the Regular Convention Fund:

Effective January 1, 2013; sixteen dollars and fifty cents ($16.50) thereof shall belong to the General Fund; fifty cents ($0.50) thereof shall belong to the Regular Convention Fund;

Effective January 1, 2014; seventeen dollars ($17.00) thereof shall belong to the General Fund; fifty cents ($0.50) thereof shall belong to the Regular Convention Fund;

Effective January 1, 2015; seventeen dollars and fifty cents ($17.50) thereof shall belong to the General Fund; fifty cents ($0.50) thereof shall belong to the Regular Convention Fund;

With respect to the per capita tax charged for retirees, five dollars ($5.00) thereof shall belong to the General Fund;

Fifty cents ($0.50) shall belong to the Regular Convention Fund; the balance shall belong to the General Fund.
IUC, XVIII, §3

Section 3. Each Local Union shall, through its Secretary-Treasurer, pay to the International Union a per capita tax of $16.50 effective January 1, 2012, $17.00 effective January 1, 2013, $17.50 effective January 1, 2014, and $18.00 effective January 1, 2015, $19.00 effective January 1, 2016, $19.50 effective January 1, 2017, and $20.00 effective January 1, 2018, payable for the current month on each member in the Local Union and, effective January 1, 2012, pay an initiation fee of $65.00 for each member registered with the International Union and $30.00 for each member readmitted; each initiation fee and each readmission fee must be accompanied by the per capita tax for the month in which the member is registered or readmitted. For retirees each Local Union shall pay to the International Union a per capita tax of $5.00 per retired member each month.

ULUC, Art. VIII, §3

Section 3. Effective January 1, 2012, the initiation fee shall be not less than sixty-five dollars ($65.00) nor more than eight hundred dollars ($800.00). The dues shall be not less than thirty-one dollars ($31.00) as of January 1, 2012, thirty-two dollars ($32.00) effective January 1, 2013, thirty-three dollars ($33.00) effective January 1, 2014, thirty-four dollars ($34.00) effective January 1, 2015, and not less than thirty-five dollars ($35.00) effective January 1, 2016, thirty-seven dollars ($37.00) as of January 1, 2017, thirty-eight dollars ($38.00) as of January 1, 2018, and thirty-nine dollars ($39.00) as of January 1, 2019. All dues whether below, at, or above the minimum shall be increased by no less than two dollars ($2.00) per month no later than January 1, 2012, by an additional one dollar ($1.00) on January 1, 2013, by an additional one dollar ($1.00) effective January 1, 2014, by an additional one dollar ($1.00) effective January 1, 2015, and by an additional one dollar ($1.00) no later than January 1, 2016, January 1, 2017, by an additional one dollar ($1.00) no later than January 1, 2018, and an additional one dollar ($1.00) no later than January 1, 2019. Affiliates shall have the authority upon the recommendation of the Executive Board and approval by the membership to set a lesser schedule of minimum dues and initiation fees for apprentice members. If a reduced initiation fee is charged to an apprentice member, the balance of the fee may be assessed at the time the apprentice acquires full membership.

10.2. Minimum Local Union Dues and Apprentice Dues

IUC, Art. XVIII, §8(c)

Section 8(c). Each Local Union shall fix and regulate the dues payable by its members, journeymen and apprentices, in such amount as is lawful and necessary to carry out its objects, purposes and obligations; except for apprentice members, such amount shall not be less than thirty-one dollars ($31.00) as of January 1, 2012, thirty-two dollars ($32.00) as of January 1, 2013, thirty-three dollars ($33.00) as of January 1, 2014, thirty-four dollars ($34.00) as of January 1, 2015, and thirty-five dollars ($35.00) as of January 1, 2016, thirty-seven dollars ($37.00) as of January 1, 2017, thirty-eight dollars ($38.00) as of January 1, 2018, and thirty-nine dollars ($39.00) as of January 1, 2019. In areas where District Councils exist, said dues shall be fixed and regulated as provided for in Article II, Section 2(e) and Article VIII, Section 2 of the Uniform District Council Constitution. Affiliates shall have the authority upon the recommendation of the Executive Board and approval by the membership to set a lesser schedule of minimum dues for apprentice members. Regular monthly dues for apprentices may be reduced but not eliminated. A member who has held continuous membership for 50 years or more shall receive a gold membership card and shall be excused from the payment of any further dues obligation, and the member's Local Union shall not owe per capita tax for such member, in tribute to their years of service and devotion to the Laborers' International Union.
10.3. International Portion of Initiation Fee

ULUC, Art. IV, §4D(9)

D-SECRETARY-TREASURER

Section 4D(9). Each Local Union, through its Secretary-Treasurer, is charged with the obligation of registering all applicants for membership with the International Union, upon receipt by it of the initiation fee or of the first $55.00 of the initiation fee, whichever occurs first; effective January 1, 2012, the foregoing $55.00 shall be increased to $65.00. The Local Union shall have the privilege of withholding the membership card received from the International Union for such registration, until the individual has completed payment of the full amount of the initiation fee payable to the Local Union.

11. Amendments to Conform to Practice

11.1. Calling GEB Meetings

IUC, Art. VIII, §2(v)

Section 2(v). It shall hold a regular meeting at least once each year at such time and place as it or the General President may decide; the General President may call special meetings from time to time as may be deemed necessary in the General President’s judgment. It may also consider and decide matters brought to its attention, through the medium of a referendum by mail, telegram, e-mail or telephone or other appropriate technology;

11.2. Methods of Communication With Affiliates

IUC, Art. VIII, §2(y)

Section 2(y). It shall have the power to authorize the publication of an official journal, to be known as “The Laborer” and to issue such other releases, pamphlets, bulletins or manuals or other communications through available technology as it may deem necessary;

11.3. Retention of Documents

IUC, Art. VIII, §2(a-iv)

Section 2(a-iv). It may, when in its opinion, the need for the preservation of records is no longer existent, order the disposition of same after a period of five years an appropriate period of time;

11.4. Stewards

ULUC, Art. IV, §4E(3)

Section 4E(3). The Business Manager shall have the authority to appoint, remove, and supervise Stewards.

Referred to the Committee on Constitution and Law
11.5. Local Unions with less than 300 members ULUC, Art. II, §3(g)

Section 3(g). When the General President, upon investigation, finds that the average good-standing membership of a Local Union, over a period of one year, is less than 300 members and, after investigation, finds that the Local Union has not effectuated the purposes for which it was chartered, the General President shall declare the charter of said Local Union suspended. When such declaration of suspension has been made by the General President, or the charter of a Local Union ceases to exist for any reason, the good-standing members of such Local Union shall transfer into such other affiliated Local Unions of the International Union, as designated by the General President, within a period of thirty days from the date of notice of suspension. The Local Union's assets and jurisdiction may also be transferred into the designated Local Union;


Concluding footnote.


References in this Constitution to the male gender shall be understood to include the female gender as well.

13. Changes not affecting meaning

13.1. Organizing the Unorganized

IUC, Art. II, §1(r), §2(k) & (l)
ULUC, Art. II, §1(e); Art. II, §2(g)
UDCC, Art. II, §1(g), Art. II, §2(l)

IUC, Art. II, §1(r)

Section 1(r). To organize the unorganized; and to take all such other action, including but not limited to donations, contributions and other activities, as may tend to conserve, promote and foster good will and public support for the welfare and interest of this International Union, its affiliates and members.

IUC, Art. II, §2(k) & (l)

Section 2 (k). To make donations and contributions, including contributions to the Laborers Charitable Foundation; and

Section 2 (l). To take all such other action as may tend to conserve, promote and foster good will and public support for the welfare and interest of this International Union, its affiliates and members.
ULUC, Art. II, §1(e)

Section 1(e). To organize the unorganized and to take all such other action, including but not limited to donations, contributions and other activities, as may tend to conserve, promote and foster good will and public support for the welfare and interest of this International Union, its affiliates and members.

ULUC, Art. II, §2(g)

Section 2(g). To take all such other action, including but not limited to donations, contributions and other activities, as may tend to conserve, promote and foster good will and public support for the welfare and interest of this International Union, its affiliates and members, as it deems necessary or proper to fulfill the objects listed in Section 1 herein.

UDCC, Art. II, §1(g), Art. II, §2(i)

Section 1(g). To organize the unorganized and to take all such other action, including but not limited to donations, contributions and other activities, as may tend to conserve, promote and foster good will and public support for the welfare and interest of this International Union, its affiliates and members;

Section 2(i). To take all such other action, including but not limited to donations, contributions and other activities, as may tend to conserve, promote and foster good will and public support for the welfare and interest of this International Union, its affiliates and members, as it deems necessary or proper to carry out the objects listed in Section 1 hereof.

13.2. Convention City

IUC, Art. V, §1

Section 1. A regular Convention of this International Union shall be held once every five years during the months of September or October of the Convention year.

In order to afford opportunity for proper reservations and arrangements to be made, the opening date and the city in which the Convention shall be held, shall be decided by the General Executive Board in a time and manner that affords an opportunity for proper reservations and arrangements to be made.

13.3. Replace Omitted Word

IUC, Art. VI, §5

Section 5. In the case of a vacancy occurring by reason of death, resignation or otherwise, the vacancy shall be filled by action of the General Executive Board of the International Union. In the event of a vacancy in the office of General President, the General Secretary- Treasurer shall inform the members of the General Executive Board that a vacancy in the office of General President exists, and shall convene a meeting of the General Executive Board for the purpose of filling the vacancy. The General Executive Board shall select one of the then members of the General Executive Board to serve as General President of the International Union for the unexpired term.

In the event of a vacancy in any other office, the General President shall inform the members of the General Executive Board of such vacancy and convene a meeting of the General Executive Board for the purpose of filling the vacancy. The General Executive Board shall select a member who possesses all of the qualifications required of an officer of the International Union to fill the vacancy and to serve for the unexpired term.

Referred to the Committee on Constitution and Law
All officers appointed to fill vacancies as herein provided shall serve as provisional officers until the next regular election at a Convention and until their successors have been duly installed.

13.4. Remove Misleading Word

IUC, Art. X, §2

Section 2. Each Vice President shall, when assigned by the General President, act as the General President's personal representative and in such matters as may be deemed of such importance as to require the attention of an officer of the International Union.

13.5. Correcting Name of Fund.

IUC, Art. XVIII, §9(c)

Section 9(c). The provisions of the Agreement and Declaration of Trust (10/25/61), as amended, for the LIUNA Local Union and District Council Pension Trust for the LIUNA STAFF AND AFFILIATES PENSION FUND are hereby incorporated into this Constitution as if specifically set forth, provided however that nothing in this Constitution shall require the Pension Fund to exhaust constitutional remedies before invoking available legal remedies.

13.6. Mail Handlers

IUC, Art. XX, §1

Section 1. Effective January 1, 2005, the per capita tax payable by the Mail Handlers Division to the International Union shall be six dollars ($6.00) per regular member per month. Four dollars and twenty-five cents ($4.25) thereof shall belong to the General Fund; twenty-five cents ($0.25) thereof shall belong to the Regular Convention Fund; and one dollar and fifty cents ($1.50) thereof shall belong to a bargaining and administration fund.

13.7. Issuing Charters

UDCC, Art. I, §1

Section 1. The District Council is an affiliate of the International Union chartered by it, (a) upon application of a number of affiliated Local Unions in an area, that believe and deem it advantageous and beneficial, to combine their economic power, effort and strength into a unit which would tend to enhance, promote and conserve the welfare and interest of themselves and their members, or (b) upon action of the General Executive Board, or the General President and General Secretary-Treasurer, where, of its own motion in their judgment, they believe the welfare and interest of a group of Local Unions and their members in a given area, would be enhanced, promoted and conserved by the issuance of a District Council charter.
13.8. Eliminating Affiliation with National Construction Alliance Councils

ULUC, Art. II, §3(c)

Section 3(c). Local Unions within the territorial and trade jurisdiction of a District Council shall affiliate with such District Council and shall also affiliate with appropriate Bodies, such as National Construction Alliance Councils, Building and Construction Trades Councils, Metal Trades Councils, Maritime Trades Councils, State Federations of Labor and Central Bodies. In the event that a Local Union is not affiliated with a District Council, then such Local Union shall affiliate with any Regional Organizing Fund that has been established and is operating within its territorial jurisdiction;

13.9. Business Manager as Ex Officio Delegate

ULUC, Art. VI, §4

Section 4(b). The Business Manager of a Local Union elected in conformity with the provisions of Article VI of the Uniform Local Union Constitution shall, by virtue of such election, serve as a delegate from the Local Union to the appropriate District Council and all other local labor bodies with which the Local Union is affiliated. All other delegates of a Local Union to a District Council shall be nominated and elected in accordance with all the constitutional provisions dealing with qualifications, nominations and elections of officers of Local Unions, except that the Executive Board may, in advance of the nomination of officers, determine that either its President or Secretary-Treasurer (but not both) shall, by virtue of the elected office, also serve as a delegate; The foregoing provision does not apply to the selection of delegates to the International Union Convention;

13.10. Grammatical Mistakes; Excess Verbiage; Greater Clarity

IUC, Art. V, §2

Section 2. The General Secretary-Treasurer shall, not later than the 30th day of the month of April of the Convention year, mail to each affiliated Local Union and District Council in good standing, a Convention Call, advising them of the opening date of the Convention and the city where the Convention is to be held. The Convention Call shall also specify the number of delegates that each Local Union is entitled to elect as its representatives to the said Convention; such delegates to be elected in accordance with the provisions herein provided.

IUC, Art. VIII, §2(f)

Section 2(f). It shall have the authority to order the issuance of provisional or other charters to Local Unions, District Councils, Regional Organizing Funds or other subordinate bodies, specifying the territorial and craft jurisdiction to be allotted. When and where, in its opinion, the issuance of such provisional or other charter would tend to accomplish, promote, enhance and conserve the welfare and interest of this International Union, its affiliates and members. Where a provisional charter is in effect, the General President is authorized to appoint, at his discretion, an officer or member of the Executive Board, delegate or representative at any time the officers of a provisional Local Union. The International Union may without notice or hearing and to revoke, amend, merge, consolidate, or otherwise amend such provisional charter without notice or hearing;

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Referred to the Committee on Constitution and Law
ULUC, Art. II, §1(d)

Section 1(d). To perform and carry out its objects and functions in accordance with the provisions of this Constitution, the International Union Constitution and the Uniform District Council Constitution; as hereinafter provided; and

ULUC, Art. III, §3(e)

Section 3(e). To observe proper decorum in attending and participating in meetings and functions of the Organization, in accordance with such reasonable rules as may be established by the Organization and with generally accepted parliamentary rules of procedure pertaining to the conduct of meetings and functions;

ULUC, Art. VI, §1(g)

Section 1(g). Nominations shall be made in the following order: President, Vice President, Recording Secretary, Secretary-Treasurer, Business Manager-Delegate—*Convention Delegate, Sergeant-at-Arms, Auditors (3), Executive Board Members, Delegate(s) to the District Council.

This order is subject to combination of offices, when approved, in accordance with constitutional provisions. The announcement of nominations shall reflect that the Business Manager and, at the option of the Executive Board, the President or the Secretary-Treasurer but not both, will be serving as Convention delegates ex officio. No member may be a candidate for, nor hold more than one office, except where a combination of offices has been approved, in accordance with the provisions of this Constitution;

* Applies only in an election where the term of office would include a Convention of the International Union.

UDCC, Art. VI, §2(d)

Section 2(d). Nominations shall be made in the following order: Business Manager-Delegate—*Convention Delegate, Secretary-Treasurer, President, Vice President, Executive Board Members (3), Sergeant-at-Arms and Auditors (3).

This order is subject to combination of offices, when approved, in accordance with constitutional provisions. The announcement of nominations shall reflect that the Business Manager and, at the option of the Executive Board, the President or the Secretary-Treasurer but not both, will be serving as Convention delegates ex officio. No member may be a candidate for, nor hold more than one office, except where a combination of offices has been approved, in accordance with the provisions of this Constitution.

* Applies only in an election where the term of office would include a Convention of the International Union.
Cheating on federal and state wage protections, including prevailing wage laws and overtime laws, is at an all-time high. A 2014 report by the Economic Policy Institute found that, in terms of the amount of money stolen, "[w]age theft is a far bigger problem than bank robberies, convenience store robberies, street and highway robberies, and gas station robberies combined."

Unscrupulous contractors lie and bribe to avoid paying required prevailing wages on covered public projects. Misclassification of workers, another form of "wage theft," is also rampant in the construction industry. Contractors cheat their workers by falsely claiming that they are "exempt" from laws that guarantee workers basic wage and labor protections.

Prevailing wage and overtime cheats plainly hurt workers and their families. But cheaters also undermine union signatory contractors and union standards. They hurt the governments to which they promise to hire skilled labor at fair wages, and their competitors who can't offer a competitive bid on a government contract without breaking the law.

At the same time, public enforcement agencies are woefully understaffed. Public officials responsible for enforcing existing prevailing wage, labor, safety, and other laws cannot turn the tide of abuse. When labor unions, responsible contractors, and public agencies work on their own, fair contracting enforcement can fall through the cracks, and cheaters can win. The National Alliance for Fair Contracting (NAFC) works to improve cooperation between labor, management, and government agencies so that everyone can work together to ensure fairness in the public construction market.

NAFC and its affiliated fair contracting organizations educate the public, taxpayers, workers, contractors, government officials and the media about the benefits of fair contracting laws, including prevailing wage laws, procurement reform and responsible bidder laws. These laws ensure that responsible contractors can successfully compete on publicly funded construction projects. Expanding middle class job opportunities for workers by leveling the playing field for fair contractors is a key mission of NAFC and its affiliated fair contracting groups, contractors and labor organization members.

NAFC supports all laws that level the playing field in public construction and is the national voice to educate the public in the importance of fair contracting to workers, contractors and taxpayers. NAFC also supports responsible bidder requirements that actively raise the level of play for all contractors. It supports and assists its affiliates to advocate for responsible bidder laws at the local, state and federal level.

NAFC provides a national network and clearinghouse for those committed to maintaining a fair and level playing field in public contracting. NAFC also helps to establish fair contracting organizations around the nation.

NAFC's annual National Conference and regional conferences bring together all those who are committed to fairness in public contracting. These meetings enable advocates of fair contracting in the public works market to network with one another, and to develop new strategies. NAFC also sponsors legal seminars to assist attorneys committed to fair public contracting.
NAFC affiliates monitor public jobs, and work with enforcement agencies to ensure compliance with all laws. NAFC’s affiliates work with responsible contractors, unions, and public officials to ensure that all bidders on public works projects follow all the rules, all the time.

Therefore, Be It Resolved That:

LIUNA will continue its long-standing leadership in supporting NAFC and its affiliates as a key element in fighting wage theft and its anti-competitive effects;

LIUNA affiliates be strongly encouraged to join and support their local NAFC affiliates where they exist;

Where no NAFC affiliates yet exist, LIUNA affiliates work with their local contractors and local building trades councils to establish and maintain a NAFC affiliate.
Ten years ago at the 2006 LIUNA Convention, we recognized the need to adopt technologies that save the Union’s time and money. Specifically, we adopted a resolution that “affiliates will submit monthly membership accounting reports and per-capita-tax payments to the International Union electronically at such time and in such form and manner as the International Union may direct.”

Since that time, much progress has been made in that direction. As of this Convention, this task is easier than it has ever been. At this point, 85% of Local Unions, representing over 90% of our membership were reporting electronically. It is time for all affiliates to take this step. In this age of pervasive digitalization of data, the lack of an ability to file these reports electronically likely points to broader inability to carry out the work of our affiliates, and would suggest that International Union intervention is warranted.

The use of electronic reporting has already led to far more efficient and robust reporting of our membership statistics and records. Not only is the International Union able to generate faster, more accurate and more revealing information about its membership, it is doing so at a reduced cost.

Therefore, Be It Resolved That

All affiliates must submit monthly membership accounting reports and per-capita-tax payments to the International Union electronically by June 30, 2017.
LIUNA’s brand is more than a look—it’s a symbol of our unity and the values we share. LIUNA’s branding initiative began in 2007 and helped raise our visibility during the 2008 election as we became recognizable as the “power of orange” to candidates at election events nationwide. Adoption of the LIUNA look and branding has grown rapidly as affiliates and members have embraced the look to demonstrate their union pride and determination to fight for justice and opportunity for the working class.

The LIUNA brand has helped amplify our visibility, numbers, and activism in local campaigns, organizing efforts, and elections—from the LIUNA Builds America campaign to our fight for energy infrastructure and the 2016 Presidential Election. Elected leaders at every level of government now see LIUNA’s national reach, and members get the recognition they deserve as an army a half-million strong of committed activists who mobilize to fight for the values and policies that they believe in.

LIUNA’s brand and visual identity, which includes our logo, look, colors and style on materials from t-shirts and wristbands to signage and letterhead, strengthens our message everywhere it’s presented, when it’s applied consistently.

The official LIUNA seal—the familiar globe and “Justice, Honor, Strength” motto—is enshrined in the International Union Constitution and will continue to be used as appropriate on official Union documents such as charters. The seal may also be used in conjunction with the LIUNA logo. But it is not an alternative or replacement for the official LIUNA logo as our primary visual identity.

LIUNA’s brand and visual identity is outlined in detail in the LIUNA Style Guide available online at www.liuna.org/Style and was developed to help better implement LIUNA’s brand.

The LIUNA logotype is a legally-protected representation of our brand. Our logo, which should include the tagline “Feel the Power,” is at its boldest and most clearly visible in the orange and gray configuration on a white background (see below), but may be reversed to white and preferably on an orange background. The logo and the color orange go hand-in-hand in creating our unique identity.
Some LIUNA affiliates have not incorporated the current orange LIUNA wordmark in their designs, and are using older brand identities that are no longer in use by the Union as a whole. LIUNA is one Union with one brand and affiliates can maximize the impact of our efforts by adopting the current orange LIUNA logo and using it consistently.

Therefore, Be It Resolved That:

Every LIUNA affiliate should use the LIUNA logo, look, colors and style whenever and wherever the Union’s message is being delivered. Every affiliate should review and implement the LIUNA Style Guide to ensure that our brand and our messages are presented consistently with the maximum impact.

Affiliated entities at every level, such as the Tri-Funds, welfare funds, pension funds and other employee benefit and training funds should be authorized and instructed to use the LIUNA branding style wherever and whenever the use of the Union’s logo is appropriate.
Selecting LIUNA leaders through our democratic process is both a tradition and a bedrock principle for our organization. This selection process means, however, that new leaders often arrive with little training in one or more areas vital to union administration. We are committed to providing union officers and staff with the educational opportunities that ensure both that constitutional and legal duties and obligations are fully understood and that our officers, representatives and staff have the full range of skills necessary to meet those duties and obligations. LIUNA’s Education and Public Employee Departments continue to train LIUNA leaders via a number of International Union educational sources.

Education Department

The 2006 LIUNA Convention mandated that newly elected business managers and secretary-treasurers take initial training classes within their first term of office and at least one additional class every three years thereafter. The 2011 Convention directed that an additional class be developed for more experienced Secretary-Treasurers. The LIUNA Education Leadership series I, II and III continues to draw participation and support from the Regions. This series teaches the basics of union administration such as fiduciary duty, running hiring halls and meetings, organizing tactics and proper expense procedures. Two specialized tracks have been developed for Business Managers and Secretary-Treasurers. Union leaders need to use these resources as a regular part of their initial orientation and as refreshers.

Since the last convention, more than 500 union agents, officers, marketing representatives, organizers and other staff have enrolled in one or more levels of the officer training program. Close to 200 Business Managers have participated in the annual Business Managers’ Leadership Academy, and an equal number of Secretary-Treasurers have attended the Secretary-Treasurer Training.

These programs have traditionally been conducted in face-to-face settings in the Washington, DC area. In response to the demand for new, more flexible, methods of program delivery, LIUNA has developed on-line training programs for its leadership. Since the last convention, a Secretary-Treasurers’ program has been available on LIUNA’s Extranet as a supplement to the four day class, and the Leadership I program has recently been added which incorporates both on-line and classroom training. These programs can be accessed by LIUNA leaders at any time from anywhere.

One area of particular importance is the training of leaders responsible for signing checks on behalf of affiliates. The Uniform Local Union Constitution and the Uniform District Council Constitution require that Presidents and Secretary-Treasurers both sign checks on the union’s behalf. This requirement is intended to ensure that no expenditure is made without these two officers independently determining that the expenditure has been properly authorized, and that the union has or will receive the goods or services for which it is paying. Affiliates have incurred losses that could have been prevented if both officers who sign checks fulfilled their responsibility to ensure that each expenditure is proper and properly authorized. This problem is heightened when a third check signer is added by an affiliate via a variance from the Uniform Local Union Constitution.

LIUNA should address this issue by requiring officers who sign checks to take a class focused on this responsibility. Secretary-Treasurers may receive this training through the Secretary Treasurers Training, but Presidents and third check signers may not. The LIUNA Education Department has developed such a class that will be available...
on-line: the LIUNA Check Signers’ Training. The class is a short, interactive and easy way for check signers to learn what is required of them in fulfilling this crucial function. Presidents and Secretary-Treasurers who have not received instruction in their check-signing responsibilities should take the class promptly. If a constitutional variance is granted allowing a third officer to sign checks that third officer should take the class before he or she is authorized to sign checks.

Public Employee Department (PED)

The Public Employee Department provides training and education tailored for the specific needs of our public and non-construction members through the PED Academy, which was created in 2001. Those classes include: Level I: C.O.R.E. Communications, Organizing, and Representational Excellence; Level II: Grievance Handling and Steward Roles; Collective Bargaining; Organizing; and Arbitration (which was created by the PED but is now open to and recommended for both construction and public sector Locals). Since the last Convention, over 350 public sector officers, staff, and stewards have participated in the PED Academy. The PED Coordinating Committee, comprised of two members per Region, strongly supports the Academy’s goals of preparing public and non-construction leaders—staff, officers, and stewards—through this training.

Therefore, Be It Resolved That:

The International Union will continue the LIUNA Leadership Education series and expand its availability on-line.

Every new Local Union and District Council officer and employee (other than support staff) must complete the online portion of Leadership I. All officers and employees are also strongly encouraged to complete the entire Leadership Training series.

Every Local Union and District Council Secretary-Treasurer must complete the Secretary-Treasurer Course within a reasonable time.

All new Business Managers representing public and non-construction members must complete the PED Level I: CORE and Collective Bargaining Classes within two (2) years of being elected to that position. All public sector and non-construction officers, staff, and stewards are strongly encouraged to complete those PED Academy classes that are relevant to their positions and duties.

All check signers for affiliates should take the Check-Signers’ Training class if they have not received training on this responsibility through the Secretary-Treasurer’s course, and any proposed third check-signer should be required to take the class before his or her union is granted a variance permitting them to sign checks.

Affiliates are responsible for ensuring that its officers and staff fulfill this requirement, and the International Union’s auditors should review affiliates’ compliance during their regular audits.
RESOLUTION 7
ASSESSING LIUNA’S
COMPETITIVENESS

One hundred and thirteen years ago, a small group of Hod Carriers and Building Laborers came together to form this Great International Union. Since then, the Laborers’ International Union has grown into a large and powerful union of half a million strong, proud, and united working men and women from across the United States and Canada. Those who came before us built the power of our International Union, not only by organizing new members, but also by building market density. It was only when they controlled a significant percentage of the market that they could begin to dictate market conditions, demand higher wages, and push for the establishment of benefit funds. Their market density gave them enormous leverage, and enabled them to bargain from positions of strength. This market strength also gave them the ability to shape the political and legislative landscape by electing pro-union friends, and defeating anti-union foes.

We can be proud that we weathered the Great Recession better than many other unions, and that we are closing in on the high-water mark of our membership. We were able to do this by utilizing the impressive infrastructure we have built over the past few decades, including Regional Organizing Funds, LIUNA Training Funds, LECET affiliates, the Laborers’ Health and Safety Fund of North America, and LIUNA Pension and Health and Welfare Funds. But the vast majority of our 500,000 members still live in just 13 states and two Canadian provinces. To become a larger and more powerful union, we must constantly assess our competitive market position everywhere we operate, and especially in areas where we have low or no market density.

The long term health and growth of this International Union will be determined by our ability to control market density, which begins with an honest assessment of our competitiveness.

Therefore, Be It Resolved That:

Every LIUNA Regional Office, District Council, and Local Union in every sector in which we represent members shall candidly assess the competitiveness of its agreements in light of market conditions and the ability of signatory contractors to bid on, and win, projects and jobs.

These assessments shall include wage rates, benefits, work rules, and anything else that could be hindering our ability to compete effectively in a given market.

In areas where we have high or medium market density, we will determine what we must do to maintain and increase that market density, identify areas where we are losing density, and take appropriate steps to stop that loss.

In areas where we have low or no market density, we will determine what we must do to get in the game and stay in the game, so that we can begin to build membership and market share.

When deciding whether to launch or continue marketing and organizing campaigns, we will be guided, in part, by candid assessments of our ability to compete effectively based on local market conditions.
One of the most important ways that the Laborers’ International Union of North America (LIUNA) protects the interests of Laborers and their families is by making our power felt by elected officials at all levels of government. LIUNA is committed to promoting a pro-LIUNA, pro-worker agenda by working with whomever we can, and fighting whomever we must.

Among the issues of importance to LIUNA members and their families in the United States and Canada on which LIUNA works are:

- Prevailing wage laws, project labor agreements, and the right to organize and bargain collectively;
- Increased public and private investment in infrastructure through federal funding, user fees, public-private partnerships, and other means;
- An “all of the above” national energy policy that includes fossil fuels, nuclear power, renewable energy sources, and the infrastructure to move these resources to market;
- Apprenticeship and training;
- Fair contracting and an end to the misclassification of workers;
- Immigration, civil rights and social justice;
- Protecting the safety and health of workers;
- Retirement security including: Pension Benefits Guarantee Corporation (PBGC) reform, multi-employer pension reform, and working with the Provincial Government in Ontario to make multi-employer pension funds permanently exempt from restrictive financial regulations;
- Protecting the interest of public sector employees;
- Any other legislative issues that affect the future and well-being of LIUNA, the industries in which we work, our members, and their families.

Full engagement of LIUNA members and LIUNA affiliates is essential to the effectiveness and success of LIUNA’s broader legislative program. Legislative issues, including the active role of members and affiliates, are therefore raised regularly in regional conferences, District Council and Local Union meetings, and Leadership classes. LIUNA’s advocacy in Washington, DC, and at the state and local levels is amplified by the quality of LIUNA’s relationships with elected officials in their communities.

These legislative efforts must be pursued with equal vigor in Canada to defend and promote the interest of Laborers there.
Therefore, Be It Resolved That:

LIUNA will fight for policies that create jobs with fair compensation and benefits to ensure safe work places. The Union will also promote legislation and policies that assure access to affordable healthcare and protect a secure retirement for all workers including repeal of Obama Care’s misguided Cadillac Tax which jeopardizes many of the health and welfare plans that our members rely on and resisting misguided increases in premium taxes paid by LIUNA pension plans.

In pursuing this agenda, LIUNA will work in a bipartisan way with our allies on matters of common interest and we will take steps to encourage relationship building between local union leaders and their elected representatives. LIUNA will fight any attempt by a hostile Congress or Administration to undermine these basic protections.

LIUNA will push for robust investment by the federal government of the U.S. and Canada, and will support policies, including revenue measures and innovative financing mechanisms that encourage investment in the nation’s infrastructure including energy, surface transportation and water infrastructure.

LIUNA will advocate for policies that promote job creation in the energy and energy infrastructure sectors.

LIUNA will oppose efforts to undermine prevailing wage protections and continue to seek the consistent application of these protections on future projects that receive federal assistance including those which may be supported by new “innovative financing” mechanisms.

LIUNA will oppose so-called “right to work” laws and other legislative attacks that interfere with the ability of unions to fully represent workers.

LIUNA will fight to protect the benefits guaranteed to working people by labor law statutes such as the National Labor Relations Act and the Fair Labor Standards Act. The Union will oppose attempts to undermine federal laws, agencies and offices that are charged with oversight of these protections.

LIUNA will work to support legislation that encourages and enhances regulations that promote fair and responsible government contracting.

LIUNA will support strong measures to protect the health and safety of our members.

LIUNA will oppose efforts to weaken social security, unemployment insurance, and will support efforts to ensure the continued viability of multi-employer and single-employer health care and pension plans.

LIUNA will continue to be a part of the fight for the protection of all workers’ rights. Immigrant workers should be afforded the same workplace protections as U.S. citizens, including the freedom to organize a union, the right to fair prevailing wages, payment of overtime, safety and health protections and access to full and fair worker’s compensation.

LIUNA will continue to oppose foreign guest worker programs that import low-wage, foreign workers without basic labor protections and that exploit the workers and drive down wages and benefits in local communities.

LIUNA will oppose any attempts, directly or indirectly, to infringe on the voting rights of minority communities.
LIUNA will continue to support human rights, civil rights, union rights and social justice and will join with other national advocacy groups to promote fair and equal treatment of all peoples.

LIUNA will defend the civil rights of all working people, and work to encourage opportunities for minorities and women to advance on the job and in their careers.

LIUNA will promote the collective bargaining rights of public employees.

LIUNA will defend against attacks on public employees pay, benefits, and working conditions

LIUNA will oppose legislation or regulations that violate the rights of Federal employees to unionize and collectively bargain; to have effective and just due process in appealing disciplinary and adverse actions; to consider seniority in all forms of collective bargaining rights and pay issues as set forth at 5 U.S.C. Chapter 71.

LIUNA and the National Postal Mail Handlers Union (NPMHU) condemn efforts to privatize the United States Postal Service or incrementally destroy its capabilities by parceling out its functions to competitors.

The NPMHU and LIUNA will strive for Congressional passage of meaningful postal reform legislation that enhances the capabilities of the USPS without diminishing the rights or benefits of the hard-working men and women of the USPS.

LIUNA will join with union and other allies to fight unfair “Free Trade Agreements” that ship U.S. and Canadian industries and jobs overseas, and

LIUNA will continue to advocate for U.S. and Canadian policies that force other countries to adhere to International Labor Organization standards and respect basic human, civil, and worker rights.

LIUNA will pursue the legislative interest of members in Canada with the same resolve, both with respect to Canadian versions of the foregoing issues and with respect to those issues unique to Canada.
WHEREAS, a Participant’s Regular Pension benefit is currently capped at a maximum of 35 or more years of service by 2.5% of his final salary, pursuant to Article II, Section 2.03 of the Rules and Regulations of the LIUNA Staff & Affiliates Pension Fund;

WHEREAS, Employers are required to remit contributions on behalf of employees with more than 35 years of service, even though no additional benefit is accrued to the Participant; and

WHEREAS, Participants devote their lives to the Laborers’ Unions in excess of 35 years and the Laborers’ Unions benefit from these Participants’ accrued years of knowledge and experience,

THEREFORE, BE IT RESOLVED:

It is hereby recommended that the LIUNA Staff and Affiliates Pension Fund be amended to extend the maximum Regular Pension benefit to a maximum of 40 years of service by 2.5% of a Participant’s final salary. It is further recommended that the application of such extension shall be incremental, as follows: the maximum allowable benefit shall increase to 36 years effective January 1, 2017 and shall increase by one additional year each subsequent calendar year until a maximum allowable benefit of 40 years has been attained.

The afore-referenced extension of the maximum Regular Pension benefit shall be subject to further limitations dependent upon actuarial calculations and reviews of the LIUNA Staff and Affiliates Pension Plan. Specifically, in the event that the extension would require an increase in the existing contribution rate set by the International Union Constitution or would have a substantial impact on the Pension Plan’s funding level, then no such extension shall be permitted.

Submitted by:

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Chicago Laborers’ District Council

And 44 other delegates from the Chicago Laborers’ District Council.