

Constitution of the Washington State Labor Council

Amended July 21, 2022

AFL-CIO Approved February 2023

Preamble

The establishment of this state central body as a subordinate unit of the American Federation of Labor and Congress of Industrial Organizations is an expression of the desire of the unions in Washington State to participate fully in the achievement of the objectives of the AFL-CIO as it seeks to fulfill the hopes and aspirations of the working people of all America.

We seek the fulfillment of these hopes and aspirations through democratic processes within the framework of our constitutional government and consistent with our institutions and traditions.

At the collective bargaining table, in the community, in the exercise of the rights and responsibilities of citizenship, we shall responsibly serve the interests of all the American people.

We pledge ourselves to the more effective organization of working people; to securing full recognition and enjoyment of the rights to which they are justly entitled; to the achievement of ever higher standards of living and working conditions; to the attainment of security for all the people; to the enjoyment of the leisure which their skills make possible; and to the strengthening and extension of our way of life and the fundamental freedoms which are the basis of our democratic society.

We shall combat resolutely the forces that seek to undermine the democratic institutions of our nation and to enslave the human soul. We shall strive always to win full respect for the dignity of the human individual whom our unions serve.

We recognize that the fates of all workers, Black, Brown, Indigenous, Asian, or White, are interconnected and that we either rise together or fail. We will win when all workers are recognized and empowered. By acknowledging that economic justice and racial justice are inextricably linked, we commit to sharing the responsibility for racial justice and equity and actively work together to achieve the transformation we aspire in our unions and workplaces and in the community.

Grateful for the fine traditions of our past, confident of meeting the challenge of the future, we proclaim this constitution.

I Name and affiliation

This body is known as the Washington State Labor Council, AFL-CIO. It will maintain affiliation with the American Federation of Labor and Congress of Industrial Organizations in accordance with the laws of that organization. As a chartered organization of the AFL-CIO, this body will conform its activities to the policies of the AFL-CIO on national affairs.

2 Purposes and declaration of principle

2.1 **Purposes.** The purposes of the Washington State Labor Council, AFL-CIO are:

- a) to establish better relations among local unions in the state of Washington;
- b) to encourage harmonious action in matters affecting the welfare of our labor movement;
- c) to propose, support, and promote legislation favorable to and to oppose legislation detrimental to the interest of workers and organized labor;
- d) to promote and distribute labor literature and aid and to encourage a more complete labor press;
- e) to promote and agitate for the union label, shop card, and services;
- f) to better prepare ourselves to combat the enemies of organized labor;
- g) to assist local unions in organization and contract negotiations, whenever asked, and to have information and statistics available for all affiliated bodies to aid them in their problems;
- h) to encourage workers to register and vote, to exercise their full rights and responsibilities of citizenship, and to perform their rightful part in the political life of the local, state, and national communities;
- i) to encourage and assist in the formation of local central bodies within the state;
- j) to bring into affiliation with the Washington State Labor Council all who are eligible, to the end that the council shall become a powerful force to speak and act in defense and promotion of the whole body of laboring people of our state;

- k) to give recognition to the principle that both craft and industrial nations are appropriate, equal, and necessary as methods of union organization; and
- l) to fight to end structural and anti-Black racism as part of our work to build a wider movement that will fight for an economy that works for everyone—including supporting people who are joining together to raise wages and improve workplace standards, fix our broken immigration system, to advance women’s rights, LGBTQ equality, and to ensure that every community has clean air and water.

2.2 **Declaration of principle.** “The Concern of One is the Concern of All.”

3 Affiliates

3.1 **Eligibility.** Each of the following organizations is eligible to affiliate with this council if it is chartered or has members working in Washington State:

- a) a local union chartered by a national or international union affiliated with the AFL-CIO
- b) a local union chartered by an organizing committee affiliated with the AFL-CIO
- c) a local union chartered by the AFL-CIO
- d) a central labor council, area labor council, or local labor council chartered by the AFL-CIO
- e) a department council chartered by a department of the AFL-CIO
- f) a joint board, district council, state association, or similar subordinate organization within the geographical limits of Washington State that is duly chartered by an affiliate of the AFL-CIO
- g) the state union retiree council for Washington State, which is composed of more than one local union retiree council
- h) a union retiree group
- i) the Washington State chapter of the Alliance for Retired Americans
- j) the state chapter of each AFL-CIO constituency group, as defined in the AFL-CIO Rules Governing State Central Bodies, that is chartered by a national AFL-CIO constituency group
- k) if no statewide chapter of an AFL-CIO constituency group exists, one local chapter of the constituency group designated by the national constituency group
- l) a statewide young labor organization
- m) a union-affiliated young leader group

- n) a worker center in Washington State
- o) a labor organization approved by the AFL-CIO

- 3.2 **No partisan political participation.** A member, delegate, vice president, or board member representing a constituency group, the Alliance for Retired Americans, a young labor organization, a young leader group, or a worker center—as listed in **3.1(i)** through **3.1(n)**—is subject to the restrictions on political activity described in the AFL-CIO Rules Governing State Central Bodies.
- 3.3 **How to affiliate.** A local union that has not been previously affiliated may become affiliated by submitting an application and paying one month’s full per capita tax for the month in which it makes application. An organization other than a local union that has not been previously affiliated may become affiliated by submitting an application and paying the affiliation fee.

4 Convention

- 4.1 **Regular convention.** The council will hold a regular convention each year near the middle of July. The regular convention in even-numbered years is also known as the constitutional convention.
- 4.2 **Special convention.** Special conventions may be called by a regular convention, by written request of 25% of the organizations affiliated with the council, or by a two-thirds vote of the executive board.
- 4.3 **Date and place.** The date and place of each convention will be determined by the executive board. If an emergency arises, the date or place of a convention may be changed by a two-thirds vote of the executive board.
- 4.4 **Electronic convention.** In an emergency, the convention may be held by audio or video teleconference by a two-thirds vote of the executive board, **with approval of the President of the AFL-CIO.**
- 4.5 **Convention information.** The council will maintain a list of information pertaining to each convention, starting the day the notice of the convention is sent to the affiliates and continuing until the end of the convention. The list must be updated when new information is received until the day prior to the opening of the convention. An officer of an affiliate may inspect the list prior to the end of the convention. Before the convention, the list may be inspected at the place where the council’s records are kept; during the convention, the list may be inspected at the location of the convention. The list of information must include
- a) the name and mailing address of each officer of the council

- b) the name and mailing address of each affiliate of the council
- c) the name of each principal officer of each affiliate of the council
- d) for each affiliate that is a local union, the voting strength of the local union
- e) the number of delegates to which each affiliate is entitled
- f) the name and mailing address of each delegate

4.6 **Notice.** The secretary-treasurer must notify each affiliate at least 90 days prior to the opening of a regular convention and at least 60 days prior to the opening of a special convention. The notice must contain (a) the date of the convention, (b) the place of the convention, (c) the number of delegates to which the affiliate is entitled, (d) the voting strength of the affiliate, and (e) the availability of the list of information described in 4.5. The notice for a special convention must also include the subjects to be considered at the convention.

4.7 **Protest of representation.** An affiliate may protest its number of delegates or voting strength by notifying the secretary-treasurer of the protest at least 60 days prior to an annual convention and 30 days prior to a special convention. If the protest cannot be resolved through informal discussion, the president will appoint a special committee of three vice presidents. The committee will hold a hearing and make a decision on the protest prior to the convention.

4.8 **Delegate credentials.** At least 90 days prior to an annual convention and at least 60 days prior to a special convention, the secretary-treasurer will send blank credentials to each affiliate. The credentials will consist of a master credential and an individual credential for each delegate and alternate. The affiliate will list all delegates and alternates on the master credential and return the master credential to council headquarters no later than 30 days prior to the convention. The affiliate will list the name of the delegate or alternate on the individual credential and give the credential to the delegate or alternate. An individual credential is invalid if it bears more than one name. The delegate or alternate will present the individual credential to the credentials committee at the convention. Master credentials submitted less than 30 days prior to the convention may be approved by a majority vote of the convention.

4.9 **Preliminary roll of delegates.** The president and secretary-treasurer will prepare a preliminary roll of delegates from the credentials in their possession. The delegates listed on this

preliminary roll will have the power to transact the business of the convention until the report of the credentials committee is adopted.

- 4.10 **Registration fee.** The executive board will establish a registration fee for the convention. An affiliate that is sending delegates will pay the registration fee in advance and submit it to council headquarters with the master credential. Part of the convention registration fee will be used to reimburse the host organization for expenses of the convention.
- 4.11 **Subversion.** A delegate or alternate who is a member of an organization that is officered, controlled, or dominated by persons whose policies and activities are consistently directed toward the achievement of the program or purposes of authoritarianism, totalitarianism, terrorism, and other forces that suppress individual liberties and freedom of association may not be a delegate or alternate and may not attend the convention.
- 4.12 **Convention body.** The convention of the council is composed of duly credentialed delegates from affiliates, current officers, and past officers, as described in 4.13 through 4.21.
- 4.13 **Minimum period of affiliation.** No organization is entitled to delegates unless it has been affiliated with the council at least 30 days prior to the sending of the notice for the convention and it has paid full per capita tax through the second month prior to the convention.
- 4.14 **Local union delegates.** Each local union affiliated with the council is entitled to the number of delegates shown here:

| MEMBERS | DELEGATES |
|-------------|--|
| 1-175 | 2 |
| 176-375 | 3 |
| 376-750 | 4 |
| 751 or more | 5 plus 1 for each additional 500 members above 751 |

- 4.15 **Membership calculation for locals.** For the purpose of selecting delegates and for roll call votes at the convention, the number of members of each local union is as follows. The base year is the most recently completed fiscal year.
 - a) for local unions that are affiliated during the entire base year: the average monthly number on which per capita tax is paid during the base year
 - b) for local unions that re-affiliated or are newly affiliated during the base year: the total per capita tax paid for all

months while affiliated, divided by the greater of the number of months affiliated or 12

- c) for local unions who affiliate after the base year and at least one month prior to the convention: two delegates and two votes

- 4.16 **Local union delegate votes.** During a roll-call vote, the votes of a local union will be divided among all of its delegates who have registered as being in attendance at the convention.
- 4.17 **Council delegates.** Each affiliated council or subordinate organization listed in **3.1(d)** through **3.1(f)** is entitled to three delegates. Each delegate of these affiliates has one vote during a roll-call vote.
- 4.18 **Delegates from other affiliates.** The state union retire council for Washington State is entitled to three delegates. Constituency groups, the Alliance for Retired Americans, young labor organizations, young leader groups, and worker centers are each entitled to one delegate. Each delegate of these affiliates has one vote during a roll-call vote.
- 4.19 **Officers.** Each officer of the council who is not a credentialed delegate of an affiliate may be a delegate **but may not vote.**
- 4.20 **Past officers.** Each past president and past secretary-treasurer who is not a credentialed delegate of an affiliate may be a delegate but may not vote.
- 4.21 **Union membership required.** A delegate must be a member in good standing of a local union that is affiliated with this council, subject to the exceptions given in the AFL-CIO Rules Governing State Central Bodies. A delegate of a local union must also be a member in good standing of that local union. In addition, a delegate of an organization described in 3.1(d) through 3.1(f) must be a member in good standing of a local union affiliated with that organization.
- 4.22 **Quorum.** 25% of the credentialed delegates constitutes a quorum.
- 4.23 **Votes.** Each delegate has one vote except during a roll-call vote.
- 4.24 **Ordering a roll-call vote.** A motion to order a roll-call vote requires a 25% vote. When a roll-call vote is ordered, the assembly will recess for 10 minutes prior to the vote.
- 4.25 **Local union voting during a roll-call vote.** During a roll-call vote, the chair of the delegation of each local union will cast all of the votes for the local. But if any member of the local union's delegation requests it, the delegates of that local will cast their votes individually.

4.26 **Proxies prohibited.** Except for local union delegation voting during a roll-call vote as described in 4.25, proxy voting is prohibited. **No delegate shall be allowed to represent more than one organization**

4.27 **Convention committees.** The following convention committees will be appointed by the president in consultation with the secretary-treasurer:

- a) committee on legislation,
- b) committee on credentials,
- c) committee on rules and order of business,
- d) committee on resolutions,
- e) committee on label and unfair lists (Union Services), and
- f) committee on grievances.

Other convention committees may be created by the president or executive board. At least 5 and no more than 21 members will be appointed to each committee.

4.28 **Appointed officers.** The president will appoint a sergeant-at-arms and a reading clerk for the convention.

4.29 **Notice for committee members and appointed officers.** Members of convention committees, the sergeant-at-arms, and the reading clerk will be notified of their appointments at least 15 days prior to the convention.

4.30 **Officers' reports.** The officers will give their reports at each constitutional convention.

4.31 **Resolutions.** A resolution may be considered at a convention if it is submitted by an affiliate, the executive board, or a subordinate section.

4.32 **Resolutions from affiliates.** A resolution submitted by an affiliate must be postmarked, hand-delivered, or sent electronically to the secretary-treasurer at least 30 days prior to the opening of the convention. The resolution must bear the seal of the affiliate if available. The secretary-treasurer will send paper or electronic copies of all timely resolutions 14 days prior to the convention to all delegates whose credentials have been received at that time. If approved by previous action of an affiliate, the affiliate may present a resolution that is not timely to the convention before the close of the last meeting on the first day; a two-thirds vote is required to allow consideration of the late resolution. A resolution that proposes to amend the constitution must satisfy the requirements of 17.3 and cannot be considered as a late resolution.

- 4.33 **Resolutions from subordinate sections.** Subordinate sections may submit resolutions approved by those bodies up to noon of the first day of the convention.
- 4.34 **Resolutions referred to committee.** Each resolution to be considered by the convention will be referred to the proper committee by the secretary-treasurer.

5 Regions

There are six regions within Washington State.

- a) Region 1 comprises King county.
- b) Region 2 comprises Island, San Juan, Skagit, Snohomish, and Whatcom counties.
- c) Region 3 comprises Clark, Cowlitz, Grays Harbor, Lewis, Mason, Pacific, Skamania, Thurston, and Wahkiakum counties.
- d) Region 4 comprises Adams, Asotin, Benton, Chelan, Columbia, Douglas, Franklin, Garfield, Grant, Kittitas, Klickitat, Okanogan, Walla Walla, and Yakima counties.
- e) Region 5 comprises Ferry, Lincoln, Pend Oreille, Spokane, Stevens, and Whitman counties.
- f) Region 6 comprises Clallam, Kitsap, Jefferson, and Pierce counties.

6 Officers

6.1 **Officers.** The officers of the council are:

- a) the president;
- b) the secretary-treasurer;
- c) five vice presidents from region 1;
- d) three vice presidents from region 2;
- e) three vice presidents from region 3;
- f) three vice presidents from region 4;
- g) three vice presidents from region 5;
- h) three vice presidents from region 6;
- i) one vice president from each constituency group that is affiliated with both the AFL-CIO and this council;
- j) one vice president from the Washington State chapter of the Alliance for Retired Americans;
- k) one vice president from Washington Young Emerging Labor Leaders;
- l) one vice president representing all affiliated worker centers;
- m) one vice president from each international union that pays per capita tax on 10,000 or more members; and

- n) one vice president, who is the principal officer or a member of the executive board, from each statewide industry sector council that is affiliated with this council and pays per capita tax on 40,000 or more members.
- 6.2 **Additional vice presidents.** The executive board may appoint additional vice presidents, who will serve for the remainder of the term of office.
- 6.3 **Appointment.** Each affiliate entitled to a vice president listed in **6.1(i)** through **6.1(n)** will appoint its vice president according to its own constitution or rules.
- 6.4 **Term.** Officers will serve a term of four years and until their successors are elected and qualified, and their term of office will begin on January 5 following an election.
- 6.5 **Retirement.** Except for members of allied retiree organizations, no retired member of an affiliate may serve as an officer in this council. A vice president who retires must resign at the end of the calendar year. For the purposes of **6.5**, retirement is defined as not being gainfully employed and not actively seeking employment in an occupation whose activities are within the jurisdiction of an AFL-CIO chartered organization.
- 6.6 **Region vice president requirements.** Except as provided in **6.5**, a region vice president is deemed to have resigned from office:
- a) if no longer employed or actively seeking employment within the jurisdiction of the central, area, or local labor councils within the region,
 - b) if no longer affiliated with organized labor in the region, or
 - c) if a member of a local union that ceases to be affiliated with the council.
- 6.7 **Removal.** An officer may be removed from office by filing charges and a hearing, as described in **10**. An affiliate entitled to a vice president listed in **6.1(i)** through **6.1(n)** may also remove its vice president according to its constitution or rules.
- 6.8 **Political office or other interfering activities.** An officer or employee of the council must resign:
- a) within 30 days after assuming full-time political office,
 - b) within 30 days after beginning work under a full-time government appointment, or
 - c) within 30 days of engaging in activities that interfere with the performance of the official duties of the council office or employment.

- 6.9 **Local council restrictions.** If there is more than one central or area labor council in a region, only two of the vice presidents representing the region may be from the same central or area labor council. For the purposes of **6.9**, a person is considered to be from a central or area labor council that has the geographical jurisdiction over the place of that person's actual employment or residence.
- 6.10 **Vacancies.** In the event of a vacancy in any office, the executive board may either call for a special election or fill the vacancy.
- 6.11 **Oath of office.** Before assuming the duties of office, each officer of the council must take the following oath of office:
- I, (name), hereby solemnly pledge my word of honor as a member of organized labor, that I will perform the duties of the office to which I have been elected, as provided for in the constitution, and that I will use my best efforts to forward the interests of this organization, all branches of the AFL-CIO, all workers' rights, and to stand up against racism, sexism, homophobia, and all forms of oppression in our movement, in our workplaces, and in our community. **I pledge to abide by the ethical practices code of the AFL-CIO and the anti-harassment and anti-discrimination policy and code of conduct of this state labor council***
- 6.12 **Ethical practices code.** Each officer must review and comply with all of the provisions of the AFL-CIO Ethical Practices Code and **the anti-harassment and anti-discrimination policy and code of conduct of this state labor council.**
- 6.13 **Duties of the president** The president is the chief executive officer of the council and will:
- a) perform the duties described by this constitution and the parliamentary authority;
 - b) actively encourage all eligible organizations to affiliate with the council;
 - c) supervise the activities of the council;
 - d) sign or co-sign all official documents;
 - e) represent the council at the conventions of the AFL-CIO;
 - f) appoint and supervise all staff assistants;
 - g) select and retain legal counsel for the council, when necessary, subject to the approval of the executive board;
 - h) serve as president and a member of the board of directors of any corporation owned directly or indirectly by the council;
- and

- i) compile the voting records of public officials and distribute them to each affiliate;
- j) perform other duties as assigned by the executive board.

6.14 **Duties of the secretary-treasurer** The secretary-treasurer is the chief financial officer of the council and will:

- a) perform the duties described by this constitution;
- b) perform the duties described by the parliamentary authority for the office of secretary and the office of treasurer;
- c) take charge of all books, papers, and property of the council;
- d) sign or co-sign all official documents;
- e) receive all money paid to the council;
- f) deposit all money that is received in one or more banks designated by the executive board;
- g) invest any excess funds in investments approved by the convention or executive board;
- h) prepare an annual report of receipts and expenditures, audited by a certified public accountant, and print the report in the proceedings of the convention;
- i) compile a list of affiliates and the post office and email addresses of each as of March 31 each year and mail the list to each affiliate;
- j) prepare a report of the proceedings of the convention, the constitution, and rules of order; post the report online; and notify each affiliate that the report is available;
- k) employ those necessary to perform the duties of the office of secretary-treasurer;
- l) serve as secretary-treasurer and a member of the board of directors of any corporation owned directly or indirectly by the council; and
- m) perform other duties as assigned by the executive board.

7 Nominations and elections

7.1 **General.** The president, secretary-treasurer, and region vice presidents are elected in even-numbered years that are not evenly divisible by four. The president and secretary-treasurer are elected by majority vote except during a run-off vote. The region vice presidents are elected by plurality vote.

7.2 **Election board.** An election board of five members and five alternates will be elected by ballot at the regular convention during an election year. There must be at least five candidates and should be at least ten. Delegates must vote for exactly five candidates; ballots that have votes for fewer or more than five candidates are invalid. To

be eligible for election to the election board, an individual must be a candidate; write-in votes are not permitted. The five candidates who receive the most votes are elected as members of the election board. The five candidates who receive the next highest number of votes are elected as alternates in the order of the number of votes received, with the alternate receiving the most votes having the highest rank. If more than one candidate receives the same number of votes for either the fifth position on the election board or any position as alternate, balloting will be repeated to break the ties.

- 7.3 **Notice of election for election board.** Notice that an election board is to be elected must be sent to all affiliates prior to the convention.
- 7.4 **Election board qualifications.** No officer or candidate for office may be a member or alternate of the election board.
- 7.5 **Term of election board.** Members and alternates of the election board will serve a term of four years, and their term of office begins at the close of the convention at which they are elected.
- 7.6 **Election board vacancies.** If there is a vacancy in the membership of the election board, the highest-ranking alternate will automatically become a member.
- 7.7 **Qualifications.** A candidate for office must be a member in good standing of an affiliated local union. No one may be a candidate whose affiliated local union pays less than full per capita tax for any reason other than strike dispensation.
- 7.8 **Nominations.** Nominations for president, secretary-treasurer, and the region vice presidents will be by petition of the affiliated local unions that have paid per capita tax for the month of March on or before July 1.
- 7.9 **Nominations for president and secretary-treasurer.** A candidate for the office of president or secretary-treasurer must be nominated by 10 or more local unions.
- 7.10 **Nominations for region vice president.** A candidate for the office of region vice president must be nominated by five or more local unions within that region. A local union may nominate a region vice president only for the regions in which its members are employed.
- 7.11 **Nominating process.** On or before August 1 of each election year, the secretary-treasurer will prepare nomination forms and send them to the affiliated local unions. The appropriate officer of the local union will enter the names of those nominated in the appropriate places. The form must be signed by the appropriate local union officer and returned to the secretary-treasurer on or before September 15 or

postmarked on or before September 15 if returned by first-class postal mail.

- 7.12 **Notice of nomination.** On or before September 25 of the election year, the secretary-treasurer must notify each nominee for office who has received sufficient nominations.
- 7.13 **Candidacy.** A nominee becomes a candidate when the nomination is accepted. The nomination must be accepted in writing and must be delivered to the secretary-treasurer by October 10 or postmarked by October 10 if sent by first-class postal mail.
- 7.14 **Uncontested election.** If there are no more qualified candidates than there are officers to elect for any office, the election board will declare the candidates elected.
- 7.15 **Election by mail.** The president, secretary-treasurer, and region vice presidents are elected by mail ballot.
- 7.16 **Election of region vice presidents.** The region vice presidents are elected by the affiliated local unions within their respective regions. The election ballot used in each region will show only the candidates for that region.
- 7.17 **Voting eligibility.** A local union may vote in the officer election if it has paid per capita tax for the month of May on or before September 1. A joint board, district council, state association, or similar subordinate organization may vote in the officer election if it has paid the affiliation fee on or before September 1.
- 7.18 **Number of votes for locals.** Each local union is entitled to a number of votes as follows. The base period is the most recently completed two fiscal years.
- a) For local unions that are affiliated during the entire base period: the average monthly number of members for whom per capita tax is paid during the base period.
 - b) For local unions that re-affiliated or are newly affiliated after the beginning of the base period: the total number of members for whom per capita tax is paid since affiliation or re-affiliation divided by the number of months of affiliation.
- 7.19 **Locals in multiple regions.** A local union that has members in more than one region may allocate its votes to the several regions. This allocation must be made in writing on or before June 30 of the election year and must be directly proportional to the number of members employed in each region.

- 7.20 **Number of votes for other affiliates.** A joint board, district council, state association, or similar subordinate organization has three votes.
- 7.21 **Election ballots.** On or before October 20 of the election year, the secretary-treasurer will prepare and mail an official ballot to all affiliates entitled to vote in the election. A return preaddressed envelope must accompany each ballot. The envelope must be marked “*Attention: Election Board.*” Each ballot must identify the affiliate to which it is sent and show the number of votes the affiliate is entitled to cast. Each section of the ballot must identify the office and list the names and union membership of each candidate.
- 7.22 **Affiliate voting.** Each affiliate will determine the time, place, and method of casting its ballot.
- 7.23 **Marking the ballot.** An affiliate may cast all of the votes to which it is entitled by marking “**X**” or “**✓**” in the proper space in each section of the ballot. An affiliate wishing to split its votes must enter the number of votes in the proper spaces. If an affiliate wishes to split its votes for region vice president, it may not cast more than the number of votes calculated in **7.18** for a single candidate and it may not cast more than the number of votes calculated in **7.18** multiplied by the number of vice presidents to be elected in that region. The ballot must be signed by an officer of the affiliate.
- 7.24 **Write-ins prohibited.** In any election for officers, only a candidate is eligible to be elected; write-in votes are not permitted.
- 7.25 **Method of returning ballots.** The ballot may be returned by one of the following methods:
- a) first-class mail via the United States Postal Service
 - b) delivering personally
 - c) facsimile
 - d) scanning and emailing
- 7.26 **Deadline for ballots.** If the ballot is returned by first-class postal mail, it must be postmarked on or before the first Monday in December and must be received at council headquarters no later than noon on the following Thursday. A ballot returned using a different method must be received at council headquarters no later than 5:00 p.m. on the first Monday in December.
- 7.27 **Receipt of ballots.** When a ballot arrives at council headquarters, a record will be made of its receipt. If it was returned by email, it will be printed on paper. It will then be deposited in a locked ballot box,

and it becomes the property of the election board in the custody of the secretary-treasurer.

- 7.28 **Ballot counting time and place.** The election board will meet at council headquarters at noon on the Thursday following the first Monday in December. The secretary-treasurer must notify the members of the election board of the specific day they will meet.
- 7.29 **Illegal ballots.** The election board will not tabulate any votes of an affiliate which has not signed the ballot as required by 7.23 or has not met the deadline described in 7.26. The election board will not tabulate the votes for a particular office if the affiliate has cast more votes than is allowed for that office or an individual candidate for that office, as described in 7.23.
- 7.30 **Protest of voting.** A protest in connection with the votes of any local union must be filed with the election board on or before the first Monday in December by at least two members in good standing from that local union. Representatives of those protesting may be present during the consideration of the protest. The election board is the sole judge of any protest.
- 7.31 **Election results.** Within 10 days after the election board completes and attests to the results, the secretary-treasurer will transmit the results to all affiliated organizations. The results will be in tabulated form and will include the vote cast by each affiliate.
- 7.32 **Objection to tabulation.** A local union may object to the tabulation of the vote. The objection must be received by the secretary-treasurer within 30 days after the tabulation is sent to the affiliates. The executive board must hold a hearing on an objection within 30 days after the objection is received by the secretary-treasurer. A majority vote is necessary for a decision. The decision of the executive board is final, except that it may be appealed to the next regular convention or special convention called for that purpose.
- 7.33 **No candidate receives majority.** If no candidate for president or secretary-treasurer receives a majority of the votes cast for that office, a run-off vote will be conducted. If more than one candidate received the highest number of votes, the ballot will list only those candidates. Otherwise, the ballot will list the names of the candidates who received the two highest numbers of votes on the first ballot. Only a candidate listed on the ballot is eligible for election. In the run-off vote, the candidate receiving the highest number of votes is elected.

- 7.34 **Tie for vice president.** If more than one candidate receives the same number of votes for the last position for regional vice president, a run-off vote will be conducted. The ballot will list the names of the candidates who received the same number of votes on the first ballot. Only a candidate listed on the ballot is eligible for election.
- 7.35 **Run-off ballot deadlines.** An official ballot for the run-off vote must be mailed to each affiliate on or before the third Monday in December. If the run-off ballot is returned by first-class postal mail, it must be postmarked on or before the first Monday in February and must be received at council headquarters no later than noon on the following Thursday. A run-off ballot returned using a different method must be received at council headquarters no later than 5:00 p.m. on the first Monday in February.
- 7.36 **Run-off counting time and place.** The election board will meet at council headquarters at noon on the Thursday following the first Monday in February to count the run-off ballots. The secretary-treasurer must notify the members of the election board of the specific day they will meet. The successful candidate will take office immediately after the election board completes and attests to the results.
- 7.37 **Observers.** A candidate for office or the candidate's designee may observe the counting of the ballots.
- 7.38 **Ballot retention.** The ballots and tally sheets must be retained and available for inspection by representatives of affiliates for six months or until the adjournment of the next regular convention, whichever is later. The secretary-treasurer will destroy the ballots and tally sheets after that time unless otherwise ordered by a convention.
- 7.39 **Special elections.** A special election will be conducted using the same procedures as a regular election, provided that if no more than one candidate qualifies as a nominee that candidate will be declared elected by the secretary-treasurer. The election board will set all dates for the nominating process and the election.

8 Executive board

- 8.1 **Composition.** The executive board comprises the council officers.
- 8.2 **Authority.** The executive board is the governing body of the council between conventions and is authorized and empowered to take the actions and make decisions that are necessary to fully carry out the decisions and instructions of the convention and take other actions

as may be necessary and appropriate to safeguard and promote the best interests of the council and its affiliates.

- 8.3 **Regular meetings.** Regular meetings of the executive board will be held in February, May, July, and November. The regular meeting in July will be held in conjunction with the regular convention. The executive board may change the date of any regular meeting by majority vote.
- 8.4 **Special meetings.** Special meetings of the executive board may be called by the president. The president must call a special meeting upon the written request of a majority of the members of the executive board. The request must state the purposes for the special meeting.
- 8.5 **Electronic meetings.** In an emergency, the executive board may conduct its meetings by audio or video teleconference.
- 8.6 **Notice for board meetings.** The notice for each regular or special meeting of the executive board must be sent at least five days before the meeting. The notice for a special meeting must state the purposes for the meeting.
- 8.7 **Quorum.** A majority of the members of the executive board constitutes a quorum.
- 8.8 **Authority over section funds.** The executive board has final authority to act on requests for organization and defense purposes from the appropriate section funds.
- 8.9 **Compensation for officers.** The executive board will establish the salaries and benefits of the president and secretary-treasurer. The executive board will report to each regular convention, and this report will be read aloud during the convention and must include the current salaries of the president and secretary-treasurer and any changes in these salaries since the previous regular convention.
- 8.10 **Council-owned corporations.** The executive board will be the shareholder of any corporation directly owned by the council. The executive board will elect five vice presidents who will serve as directors of a corporation owned directly by the council. The executive board may remove any of the five directors by a majority vote. The shareholder may review and approve the action of the board of directors of any corporation that is owned directly or indirectly by the council.
- 8.11 **Relations with affiliates.** In cooperation with the president and secretary-treasurer, the executive board will:

- a) represent the council to affiliates within their respective districts;
- b) solicit and urge affiliation on the part of those eligible organizations that are not affiliated; and
- c) make every reasonable effort to secure continued affiliation on the part of delinquent affiliates.

9 Subordinate sections and financial aid

- 9.1 **Sections.** There are five sections. The sections are subordinate to this council and are established for purposes of organization and defense. The sections are:
- a) Building Trades,
 - b) Food and Beverage Trades,
 - c) Miscellaneous Trades,
 - d) Maritime and Transportation Trades, and
 - e) Industrial Unions.
- 9.2 **Bylaws and activities.** Any bylaws adopted by a section must conform to this constitution. Each section will operate in conformity with this constitution.
- 9.3 **Membership.** Each affiliated local union may be a member of one or more sections. A local union that has members in more than one section must designate to the secretary-treasurer the percentage allocation of its membership to each section. This designation must be in writing.
- 9.4 **Meetings.** Each section will hold a meeting before the third day of each regular convention. The voting body at a section meeting consists of the convention delegates who represent the local unions that are members of the section.
- 9.5 **Trustees and officers.** Each section has three trustees and such other officers as the section determines are necessary. The trustees and officers will be elected at the meeting during the regular convention to serve for a term of one year or until their successors are elected. As much as possible, two trustees in each section must be from west of the Cascade Range and one trustee from east of the Cascade Range. In each section, all trustees must be members of different local unions.
- 9.6 **Vacancies in office.** In the event of a vacancy in any section office, the vacancy may be filled by the remaining officers.
- 9.7 **Financial reports.** The secretary-treasurer will submit a quarterly financial report to the trustees of each section.

- 9.8 **Request for financial aid.** An affiliate may request financial aid from the organization and defense fund. The request must be made through the executive officer or officers of the section from which funds are requested and must comply with 9.9. If the request is proper, the executive officer or officers will submit the request to their respective section trustees for consideration. If the request is approved by the trustees, it will be sent to the secretary-treasurer of the council, who will submit the request to the executive board for final consideration.
- 9.9 **Form of request.** A request for an organizing and defense grant must be made in advance of an organizing drive or commitment of funds, if possible. The request must:
- a) be in writing,
 - b) state the specific amount requested,
 - c) state how the funds will be used,
 - d) list the amount and sources of other funds,
 - e) include a proposed budget showing the amounts and timing of both expected receipts and expenditures, and
 - f) comply with the constitution and laws of each applicable section, the council, and the AFL-CIO.
- 9.10 **Grant payments.** The executive board may issue a grant in a series of payments.
- 9.11 **Use of grant.** An organizing and defense grant must be used only for the purposes approved by the executive board.
- 9.12 **Reports on use of grant.** If a grant is approved by the section trustees and the executive board, the affiliate receiving the grant must give a monthly report to the executive board and the officers of the section. The report must include an itemized statement of expenditures. If the affiliate fails to file a monthly report, financial aid will be discontinued until the report is filed. The affiliate must give a complete report to the executive board and the officers of the section when the entire grant has been spent.

10 Charges and hearings

- 10.1 **Charges.** An affiliated local union has the right to file charges when its membership votes to do so. A charge may be filed against:
- a) an officer of the council for violating the constitution or rules of the AFL-CIO or the council, conduct unbecoming an officer, misappropriation of funds, malfeasance in office, or neglect of duty; or

- b) an affiliate for engaging in conduct or a course of action that is hostile or contrary to the best interests of the council or contrary to this constitution.

10.2 **Filing charges.** A charge must:

- a) be in writing,
- b) specify the particular act or acts charged,
- c) be signed by at least two officers of the charging local union, and
- d) be filed with the president or secretary-treasurer.

If both the president and secretary-treasurer are charged, the charge may be filed with any officer of the council.

10.3 **Determination of hearing.** The executive board will have a special meeting no later than 30 days after an officer receives a properly filed charge. At the special meeting, the executive board will determine by a majority vote whether the charge merits a hearing; an officer named in the charge may not vote on this question.

10.4 **Hearing.** If a hearing is to be held, notice of the hearing and a copy of the charge must be sent to the accused at least 20 days prior to the hearing. The hearing will be conducted during a special meeting of the executive board. At the hearing, both the accused and the charging party will have full opportunity to be heard and to present evidence. After the hearing, a two-thirds vote is required to find the accused guilty of the charges. If found guilty, the executive board may take any appropriate disciplinary action, including the suspension or removal of any officer or the suspension or expulsion of any affiliate.

10.5 **Appeals.** The decision of the executive board in **10.3** or **10.4** is final and binding unless appealed to the AFL-CIO as provided in the AFL-CIO Rules Governing State Central Bodies. The decision of the executive board will remain in effect during the appeal unless otherwise ordered by the AFL-CIO.

II Per capita taxes and fees

11.1 **Revenue.** The revenue of the council comes from per capita tax paid by local unions and an affiliation fee from other affiliates.

11.2 **Per capita tax.** A per capita tax of \$1 per member per month will be paid by each affiliated local union on the membership within the jurisdiction of the council. Per capita tax is payable monthly and is due on the first day each month.

- 11.3 **Affiliation fee.** An affiliate other than a local union will pay an affiliation fee of \$50 annually, payable in advance.
- 11.4 **Membership calculation; hardship.** An affiliated local union must pay per capita tax on its full membership as paid to its international or national union. Where a local union can show that payment of full per capita tax will result in unnecessary hardship, it can petition the executive board for exoneration from per capita tax. The local union will send the petition to the secretary-treasurer, who may require evidence of the local union's inability to pay. The executive board may grant relief in an amount sufficient to keep the local union functioning in a proper manner.
- 11.5 **Nonpayment and suspension.** The secretary-treasurer will notify an affiliate that has not paid its full per capita tax or affiliation fee by the 25th day of the following month. If payment has not been made 90 days after notification, the delinquent affiliate will be suspended from membership unless the executive board has granted exoneration from full per capita tax.
- 11.6 **Reinstatement.** An affiliate that is suspended for nonpayment of full per capita tax or the affiliation fee may be reinstated under conditions determined by the executive board. **A union that has been suspended for nonpayment of per capita tax shall pay only the amounts in arrears due at the time of the suspension, but cannot retroactively pay for additional months to increase voting strength.**
- 11.7 **Revenue credited to general fund.** All revenue from per capita tax and affiliation fees will be credited to the general fund except revenue credited to the organization and defense fund as described in **11.8** and the label promotion and education fund as described in **11.9**.
- 11.8 **Revenue credited to organization and defense fund.** The council will maintain an organization and defense fund for the purposes of organizing and defense and for the operating expenses of the sections. If the balance in the organization and defense fund is less than \$100,000, 3% of the revenue from per capita tax will be credited to the fund until the balance reaches \$100,000. The organization and defense fund will be allocated to each section according to the ratio of the membership of each section's affiliates to the total membership of all local unions affiliated with the council. If a section depletes the amount allocated to it, the executive board may replenish the section's allocation. Twenty-five percent of the funds allocated to the various sections will be set aside to defray the

costs of operating the sections. The organization and defense fund may be distributed only in compliance with **9.8** or to pay for a section's operating costs. An annual report of the disbursements for a section's operating costs will be submitted to the secretary-treasurer within 60 days after the end of each fiscal year for inclusion in the secretary-treasurer's report to the convention.

- 11.9 **Revenue credited to label promotion and education fund.** Two percent of the revenue from per capita tax paid by local unions and affiliation fees will be credited to the label promotion and education fund. One half of the receipts of this fund will be credited or remitted to the statewide organization charged with conducting or coordinating statewide activities in support of the union label, shop card, and union services. The remainder of the receipts of this fund will be used in union educational programs and to fund scholarships, fellowships, and internships.
- 11.10 **Revenue from other sources.** The secretary-treasurer will account for all funds received by the council from sources other than per capita tax and affiliation fees as directed by the executive board or as required by law.

12 Financial practices and audits

- 12.1 **Fiscal year.** The fiscal year is January 1 through December 31.
- 12.2 **Receipts and disbursements.** All funds received by the council will be immediately deposited in one or more federally insured financial institutions. No money will be paid out except by check bearing the signature of the president and secretary-treasurer or by electronic funds transfer in accordance with the AFL-CIO Rules for Electronic Banking and the policies and procedures of the council.
- 12.3 **Audit.** The executive board will appoint an independent certified public accountant to audit the books of the council at least annually, **in accordance with AFL-CIO agreed upon procedures**, and perform other duties assigned by the executive board. The independent certified public accountant will report to the executive board. An audit of the books is required whenever there is a change or vacancy in the office of president or secretary-treasurer.
- 12.4 **Reimbursement.** An officer, member of the election board, or member of staff will be reimbursed for necessary and legitimate expenses, including loss of wages incurred in the performance of authorized activities for the council. Someone other than an officer or staff may be reimbursed for expenses in accordance with guidelines established by the executive board. Reimbursement for

travel when transportation is not furnished by the council will be at the rate established for business automobile use by the Internal Revenue Service or actual transportation costs when commercial carriers are used.

- 12.5 **Fidelity bond.** The president and secretary-treasurer will be covered by a fidelity bond in an amount to be determined by the executive board and as required by the AFL-CIO Rules Governing State Central Bodies. The premium of the bond will be paid by the council.
- 12.6 **Election board.** A member of the election board will receive \$25 for each day spent performing official duties in addition to the reimbursement for expenses described in **12.4**.
- 12.7 **Budget.** The president will propose an annual budget to the executive board, listing anticipated receipts and expenditures. The executive board will adopt a budget prior to the beginning of the fiscal year. Major deviations from the budget will be reviewed with the executive board by the secretary-treasurer.
- 12.8 **Financial obligations.** No financial obligation will be incurred on behalf of the council without the consent of the executive board.
- 12.9 **Leaving office.** When leaving office, each officer will deliver to the successor all money, credit or debit cards, securities, papers, electronic devices, and passwords of the council which are under the outgoing officer's control.
- 12.10 **Inspection of records.** All books, papers, and financial records of the council will at all times be open for inspection by the executive board and duly authorized representatives of any affiliate.

13 Committees

- 13.1 **Committee on political education.** The committee on political education will have the structure and duties as specified in **14.2** and in the committee's bylaws.
- 13.2 **Constitution and bylaws committee.** The constitution and bylaws committee. The committee is composed of 6 to 12 members who are appointed promptly after the beginning of each term of office and who represent diversity in geography, industry sectors, gender, race, and ethnicity. The constitution and bylaws committee will
 - a) solicit amendments to the constitution or bylaws from affiliates,
 - b) review all amendments to the constitution or bylaws,
 - c) submit proposed amendments to the secretary-treasurer no later than 30 days prior to the constitutional convention, and

- d) present all timely proposed amendments to the constitutional convention with any recommendation.

The committee must meet 31 to 45 days prior to the opening of the constitutional convention and may also meet at other times.

- 13.3 **Convention committees.** The convention committees are described in 4.27.
- 13.4 **Additional committees.** Additional standing or special committees may be created by the convention, the executive board, or the president.
- 13.5 **Committee membership.** The president will appoint the chair and members of each committee unless otherwise directed by the convention or the executive board.
- 13.6 **President's ex-officio committee membership.** The president is a member of all committees.
- 13.7 **Reports and rules.** Each committee will report to the executive board. A standing committee whose duration is more than two years will also report to each regular convention. The executive board will adopt rules governing all committees except the convention committees, the constitution and bylaws committee, and the committee on political education, which is governed by its bylaws.
- 13.8 **Electronic meetings.** A committee may hold its meetings by audio or video teleconference, subject to any rules adopted by the executive board.
- 13.9 **Ethical Practices Committee. The Ethical Practices Committee shall be a standing committee and shall be responsible for enforcing the substance of the Ethical Practices Code for AFL-CIO Officers and Representatives. This committee shall only be appointed when there is a charge of an ethical practice code violation filed with the state labor council.**

14 Legislative and political action

- 14.1 **Legislative activities.** The legislative activities of the council are directed by the president and will conform to the policies of the AFL-CIO on national affairs and to the policies adopted by the convention and the decisions of the executive board on state matters.
- 14.2 **Political activities.** The political activities of the council are directed by the committee on political education and will conform to the

policies of the AFL-CIO and the national committee on political education.

- 14.3 **Endorsements.** The council may make endorsements for or against candidates for political office, initiatives, or referenda in accordance with the bylaws for the committee on political education.

15 Boycotts and unfair lists

- 15.1 **Authority.** The council has the authority to establish a statewide boycott or to place a statewide or regional employer on an “Unfair” or “Do Not Patronize” list only upon written request of an aggrieved affiliate or in response to an action of the AFL-CIO.
- 15.2 **Form of request.** Before any boycott action by an affiliate is endorsed by the council, a written statement must be submitted by the aggrieved affiliate:
- a) stating the efforts that have been made to effect a settlement of the issues in dispute,
 - b) requesting that the offending employer be placed on the “Unfair” or “Do Not Patronize” list, and
 - c) describing the actions that will be taken to make the boycott effective.
- 15.3 **Referral to board or committee.** A request to place an employer on the “Unfair” or “Do Not Patronize” list will be referred to the executive board. Referral may be to a special committee of the executive board appointed by the president for the purpose of carrying out the duties described in **15.4** through **15.6** with the power to act.
- 15.4 **Other affected unions.** If the requested action is directed against an employer that has a contract or working agreement with any union or unions affiliated with the AFL-CIO other than the aggrieved union, the written consent of the other affected unions is required. If this consent is not given, the council must take no further action except as authorized by the AFL-CIO.
- 15.5 **Attempt at settlement.** An employer identified by a request for placement on the “Unfair” or “Do Not Patronize” list will be invited to meet with the executive board or the special committee described in **15.3** with the objective of securing an amicable settlement of the dispute in the spirit of conciliation. The affiliate that initiated the request will also have representation in attendance. Other affiliates that might be directly affected by any action taken on the request must be notified of the meeting and may have representation in attendance.

- 15.6 **Action.** After investigation and conciliation efforts, if the executive board or the special committee is unable to effect a settlement, any action taken in support of the original request must be in accordance with the AFL-CIO Rules Governing State Central Bodies.
- 15.7 **Time period and removal.** An employer placed on the “Unfair” or “Do Not Patronize” list will remain there for one year unless removed sooner by the executive board. The aggrieved affiliate will be notified near the end of the year-long period. Before the executive board extends the “Unfair” or “Do Not Patronize” listing for each subsequent year, the aggrieved affiliate must show what actions were taken to make the boycott effective and how the boycott will be continued.

16 Rules and parliamentary authority

- 16.1 **Conflicts.** In case of conflict between (1) the provisions of this constitution or other laws or actions of the council and (2) the constitution of the AFL-CIO or the AFL-CIO Rules Governing State Central Bodies, the constitution or rules of the AFL-CIO prevail. If there is a conflict, the executive board will ensure conformance with the AFL-CIO constitution and rules by:
- a) proposing amendments to this constitution,
 - b) proposing amendments to a resolution or motion that was adopted by a convention, or
 - c) modifying the laws or actions of the council that were not adopted by a convention.
- 16.2 **Parliamentary authority.** The rules contained in the current edition of *Robert’s Rules of Order Newly Revised* (the parliamentary authority) will govern this council in all cases to which they are applicable and in which they are not inconsistent with this constitution, any special rules of order the council may adopt, and any statutes or rules of the AFL-CIO applicable to this council that do not authorize the provisions of this constitution to take precedence.

17 Amendments

- 17.1 **Constitutional convention only.** Amendments to this constitution may be considered and adopted only at the regular convention in even-numbered years.
- 17.2 **Proposals.** Amendments to this constitution may be proposed by an affiliate, the executive board, a subordinate section, or the constitution and bylaws committee and must be in resolution form.

- 17.3 **Submission deadline.** A constitutional amendment must be submitted to the constitution and bylaws committee no later than March 31 to be considered at the constitutional convention, except that:
- a) The executive board may submit a constitutional amendment to the constitution and bylaws committee no later than 45 days prior to the constitutional convention, and
 - b) The constitution and bylaws committee may propose a constitutional amendment at any time prior to the deadline for submission to the secretary-treasurer.
- 17.4 **Notice to delegates.** The secretary-treasurer will send each constitutional amendment received from the constitution and bylaws committee to the delegates as described in **4.32**.
- 17.5 **Adoption.** A two-thirds vote is required to amend this constitution if the proposed amendment complies with **17.1** through **17.4**.
- 17.6 **AFL-CIO approval.** Amendments to this constitution will become effective when approved by the president of the AFL-CIO. Any change in per capita tax will become effective on the first day of the month after receiving approval from the president of the AFL-CIO.

Document History

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