

HAWAII STATE AFL-CIO
CONSTITUTION & BYLAWS
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HAWAII COPE BYLAWS

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HAWAII STATE AFL-CIO
CONSTITUTION & BYLAWS

Preamble

The establishment of this Federation as a subordinate body of the American Federation of Labor and Congress of Industrial Organizations is an expression of the desire of the labor movement in Hawaii to participate fully in the achievement of the objectives of the parent Federation as it seeks to fulfill the hopes and aspirations of the working people of all America.

We resolve to fulfill the yearning of the human spirit for liberty, justice and community; to advance individual and associational freedom; to vanquish oppression, privation and cruelty in all their forms; and to join with all persons, of whatever nationality or faith, who cherish the cause of democracy and the call of solidarity, to grace the planet with these achievements.

We dedicate ourselves to improving the lives of working families bringing fairness and dignity to the workplace and securing social equity in our State and in the Nation. We will prevail by building a strong, free and democratic labor movement.

We will organize workers into unions allied by common purposes and mutual reliance. We will recruit generations of organizers, amass resources to sustain their efforts and inspire workers to achieve dignity and security through organization and collective bargaining. We will generate broad understanding of the necessity of organizing among our members, our leaders and all unorganized workers.

We will give political voice to workers in our State and in the Nation. We will fight for an agenda for working families at all levels of government. We will assemble a broad progressive coalition for social and economic justice. We will create a political force within the labor movement that will speak forcefully and persuasively on the public issues that affect our lives.

We will enable workers to shape a changing global economy. We will speak for working people in the international marketplace, in the industries in which we are employed, and in the firms where we work. We will expand the role of unions to securing worker influence in all the decisions that affect our working lives, from capital investment to the quality of products and services to how work itself is organized.

We will establish unions as active forces in our communities. We will make the voices of working families heard in our neighborhoods. We will create vibrant state, local and community labor councils. We will strengthen the ties of labor with our allies. We will speak out effectively and creatively on behalf of all working Americans.

With confidence and trust in the inherent power and goodness of our people and in the virtue and promise of unionism, we proclaim this Constitution.

ARTICLE I

Name -Affiliation-Headquarters

This Federation shall be known as the Hawaii State AFL-CIO. It shall at all times maintain affiliation with the American Federation of Labor and Congress of Industrial Organizations in accordance with the laws of that organization. Its principal headquarters shall be in the City and County of Honolulu.

ARTICLE 11

Objects and Principles

Section 1. The objects and principles of this Hawaii State AFL-CIO shall be to promote, through appropriate activities in the State of Hawaii, the principles of the American Federation of Labor and Congress of Industrial Organizations.

The objects and principles of this Hawaii State AFL-CIO are:

(a) To aid workers in securing improved wages, hours, and working conditions with due regard for the autonomy, integrity, and jurisdiction of its affiliates;

(b) To aid and assist, to the extent possible, its affiliates in extending the benefits of mutual assistance and collective bargaining to workers and to promote the organization of the unorganized into unions of their own choosing for their mutual aid, protection and advancement, giving recognition to the principle that both craft and industrial unions are appropriate, equal, and necessary as methods of union organization;

(c) To encourage all workers without regard to race, creed, color, sex, national origin or ancestry to share equally in the full benefits of union organization;

(d) To secure legislation, public policy and programs which will safeguard and promote the principles of free collective bargaining, the rights of organized labor, workers, farmers, consumers, and the security and welfare of all the people and to oppose legislation, public policy and programs inimical to these objectives;

(e) To protect and strengthen our democratic institutions, to secure full recognition and enjoyment of the rights and liberties to which we are justly entitled, and to preserve and perpetuate the cherished traditions and precepts of our democracy;

(f) To give constructive aid in promoting the cause of peace and freedom in the world and to aid, assist and cooperate with free and democratic labor movements throughout the world;

(g) To preserve and maintain the integrity of each affiliated union in the organization to the end that each affiliate respects established bargaining relationships of every other affiliate and that each affiliate shall refrain from raiding the established bargaining relationship of any other affiliate.

(h) To aid and encourage the sale and use of union made goods and union services through the use of the union label and other symbols.

(i) To promote the labor press and other means of furthering the education of the labor movement as well as the public;

(j) To assist in furthering the appropriate objects and policies of the AFL-CIO, or of organizations affiliated with the AFL-CIO (provided such objects or policies are not inconsistent with the objects or policies of the AFL-CIO);

(k) To serve as a means of exchanging information among affiliated bodies on matters of common interest;

(l) To provide aid, cooperation and assistance to affiliated bodies in their common and individual

endeavors;

(m) While preserving the independence of the labor movement from political control, 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;

(n) To engage in such other activities as are consistent with the objects and principles set forth in the Constitution of the AFL-CIO and the policies of the AFL-CIO;

(o) To affirm that it is the basic principle of this Hawaii State AFL-CIO that it must be and shall remain free from any and all corrupt influences and from the undermining efforts of all agencies or agents opposed to the basic principles of our democracy and of free and democratic trade unionism; and

(p) To safeguard the democratic character of the labor movement and to protect the autonomy of its affiliates.

ARTICLE III

Membership-Representation-voting

Section 1. Membership in the Hawaii State AFL-CIO shall be composed exclusively of such of the following organizations located within the geographical limits of the State of Hawaii and shall conform to this Constitution and the rules and regulations adopted pursuant thereto:

(a) Local unions of National and International Unions and Organizing Committees affiliated with the AFL-CIO;

(b) Local unions chartered directly by the AFL-CIO;

(c) Local Central Bodies chartered directly by the AFL-CIO;

(d) Local Councils and State Councils chartered by the Trade and Industrial Departments of the AFL-CIO;

(e) Joint Board, District Councils, State Associations and similar subordinate organizations which are duly chartered by an affiliate of the AFL-CIO; and

(f) A state retiree council, composed of local retiree councils may be affiliated with the Federation. The Hawaii affiliate of the Alliance of Retired Americans shall be an affiliate. Its representative shall serve as a member of the Executive Board and as a delegate to the conventions and meetings of the General Council of Affiliates. The Executive Board may provide financial support to this affiliate.

(g) A state chapter, or a local chapter if no state chapter exists, of an AFL-CIO constituency group, however no AFL-CIO constituency group or its delegates may be present for and have voice or vote in any meeting or proceeding of the Federation concerning that endorsement of a political candidate or other partisan activity concerning public elected office nor may any constituency group or its delegates be present for or have voice or vote in any meeting of the Federation's Committee on Political Education.

Section 2. No state central body shall admit or retain in membership any organization not affiliated with the AFL-CIO or with an affiliate of the AFL-CIO, or any organization that has been suspended or expelled by a parent body affiliated with the AFL-CIO or by the AFL-CIO.

Section 3. No organization officered, controlled or dominated by persons whose – policies and activities are consistently directed toward the achievement the program or purposes of authoritarianism, totalitarianism, terrorism, and other forces that suppress individual liberties and freedom of association shall be permitted as an affiliate of any state central body.

Section 4. Affiliated local unions in good standing (that is, not more than two months in arrears) shall be entitled to representation and votes in regular and special conventions of the Hawaii State AFL-CIO based on the average number of members on whom per capita tax has been paid for the twelvemonth period prior to and including the fourth month preceding the month of the opening date of the convention. The average membership of locals affiliated for less than this twelve-month period shall be computed from the month of affiliation and the average shall be determined by dividing the total per capita tax paid for all months affiliated prior to and including the month in which the convention is held by the number of months affiliated or by twelve, whichever is greater. Local unions not in good standing shall not be entitled to any delegates or votes.

Section 5. No person shall be eligible to serve as a delegate to a convention of this Hawaii State AFL-CIO unless he is a member of a local union affiliated with this Hawaii State AFL-CIO or unless the person is a National or International Union representative regularly servicing such an affiliated local union.

Section 6. Based on the average membership each local union shall be entitled to the number of delegates as set out in the following schedule:

500 member or less	2 delegates
501 to 750 members	3 delegates
751 to 1,000 members	4 delegates

One additional delegate for each additional 1500 members above 1,000.

Section 7. Affiliated Local Central Bodies and other subordinate bodies as defined in Section 1 of this Article shall be entitled to one delegate and one vote each.

Section 8. Except on roll call votes, each delegate shall be entitled to one vote.

Section 9. Roll Call Voting: (a) A roll call vote shall be held on any pending question including election of officers upon demand of twenty-five per cent (25%) or more of the delegates present.

(b) On roll call votes each local union shall be entitled to a number of votes equal to the average membership of the local union.

(c) The votes of the local union shall be apportioned among all its registered delegates in such manner as the local union may designate or, in the absence of such designation, in such manner as the delegates representing that local union may agree upon among themselves, or if apportionment is not accomplished by either of the foregoing methods, then each delegate shall be assigned an equal number of votes so as to apportion as many votes of the local union as possible, with any votes left over to be discarded, except that the apportionment of the votes of a local union whose jurisdiction covers more than. one Division shall conform to the number of members in each Division. In no case shall fractional votes be allowed.

(d) Every delegate present shall be entitled to cast only an assigned number of votes, except that one delegate may be designated to cast all the votes of the delegates representing the delegate's local union, provided that if any delegate shall challenge the correctness of the votes so cast, the individual delegates shall be polled.

Section 10. (a) The apportionment of votes to each delegate shall be shown on the official roll of delegates prepared by the Credential Committee. The Executive Secretary-Treasurer or President shall prepare roll call forms in advance for use of the Credential committee. The roll call forms shall be arranged by Divisions listing all the affiliated organizations within each Division in alphabetical order and showing the number of delegates and the number of votes each organization is entitled to. The names of the delegates and the votes apportioned to each shall be listed immediately following the name of the organization represented. A local union whose jurisdiction covers more than one Division shall be listed under each Division with the delegate or delegates and number of votes indicated for each Division. Copies of the roll call forms shall be made available to all delegates.

(b) No delegate shall be permitted to vote the proxy of another delegate except as provided in Section 9 (d) of this Article, but a delegate who has been seated and must leave the convention for any cause may transfer his votes to another delegate representing the same affiliate by certifying such transfer in writing to the Credentials Committee, which shall report such transfer to the Convention.

Section 11. No delegate shall be allowed to represent more than one affiliate except that a group of locals, not to exceed five in number, in the same Division with an aggregate membership in the Division of not more than five hundred may designate a single delegate to represent all of the locals.

Section 12. Every officer and member of the Executive Board shall be ex-officio a delegate to the convention and shall have one vote, unless they are an accredited delegate from an affiliated organization, in which case the number of votes they have shall be determined as for other delegates. The expenses to the convention of an officer or member of the Executive Board who is a delegate representing an affiliated organization shall not be paid by this Hawaii State AFL-CIO.

ARTICLE IV

Conventions

Section 1. (a) The regular convention of this Hawaii State AFL-CIO shall be held biennially in odd-numbered years, at a time during the last four (4) months of the year. The exact time, date, and place shall be determined by the Executive Board. The purpose of the regular Convention shall be the election of officers and the transaction of the general business.

(b) Regular conventions limited to consideration of the report and recommendations of the Committee on Political Education and subsidiary matters shall be held biennially in even-numbered years in the month of September at a time and place designated by the Executive Board, except that the Executive Board, may, for good cause, change the month in which the convention is to be held in any particular year.

Section 2. A Special Convention shall be called when ordered by a regular convention or by two-thirds vote of the Executive Board, and such Special Convention shall be limited to consideration of the particular matter, or matters, for which the convention was called, which shall be stated in the convention call.

Section 3. The President shall issue the call for all conventions sixty days preceding the opening date of the convention.

Section 4. Credential forms showing the name of the organization and the number of delegates and votes to which it is entitled shall be sent out to each affiliated organization with the convention call. The forms shall consist of one master credential on which to enter the names and address of all delegates who are to represent each organization, and a separate individual form to be given to each delegate.

The master credential duly certified by the proper officer of the organization shall be returned to the Executive Secretary-Treasurer or President at least fifteen days prior to the opening of the convention, except that a master credential may be accepted after the fifteen-day deadline if there are extenuating circumstances which satisfy the convention.

The individual credential shall be presented to the Credentials Committee by each delegate when registering at the convention. Registration of delegates shall be kept open throughout the convention.

Section 5. No less than 30 nor more than 120 days prior to the regularly scheduled convention, the state central body shall supply each affiliated organization with a list containing the following information:

(a) The name and mailing address of each of the central body's elected officers (including executive Board members);

(b) The name and mailing address of each organization presently affiliated with the central body;

(c) The name of each affiliated organization's principal officers;

(d) Each organization's projected per capita voting strength and delegate entitlement at the convention; and

(e) To the extent available, the names of the delegates who will be entitled to vote at the convention.

In any year in which there is not a regularly scheduled convention, the state central body shall, during the same month as the last convention was held, supply each affiliated organization with an updated list containing the information set forth in the first three parts of the preceding sentence, and if the central body's constitution provides for per capita voting between conventions, the per capita voting strength each affiliated organization is entitled to in such a vote as of the time the list is prepared.

Officers of organization affiliated with the state central body shall also be entitled at the place where the records are kept to inspect, and to make their own notes concerning, the most-current underlying records relating to the information included in the lists provided for above.

Section 6. Each delegate and visitor, excepting invited speakers and guests of the convention, shall pay a registration fee as determined by the Executive Secretary-Treasurer or President with Executive Board approval. However, the registration fee shall be no less than \$5 per day and shall be used to defray convention costs. If, after all convention expenses have been fully paid, a fund balance remains from the monies collected, said monies shall become part of monies used to pay for Federation activities including, but not limited to, future conventions.

Section 7. Resolutions for consideration of the convention may be submitted by an affiliated organization, by a duly accredited delegate or by the Executive Board and shall be sent to the Executive Secretary-Treasurer President at least fifteen days prior to the opening of the convention and the Executive Secretary-Treasurer President shall cause copies to be prepared for the convenience of the delegates. No other resolution shall be in order for consideration by the convention except by consent of two-thirds of the delegates present and voting.

Section 8. The following convention committees shall be appointed by the President with the advice and consent of the Executive Board: Credentials, Rules of Order, Constitution, Officers' Reports, Legislation, Grievance and General Resolutions. Resolutions shall be referred by the President to the

appropriate committee according to subject matter, unless otherwise ordered by the convention. The President shall have authority to appoint, with the advice and consent of the Executive Board such other committees as may be needed to expedite the work of the convention.

Section 9. The President shall appoint a corps of Sergeants-at-Arms to assist him in the conduct of the convention and in maintaining order and decorum.

Section 10. A quorum for the transaction of the business of the convention shall consist of a majority of the registered delegates.

Section 11. Except as otherwise provided, its decision shall be by a majority vote.

ARTICLE V

Officers-Eligibility-Term of Office-Duties

Section 1. The officers of this Hawaii State AFL-CIO shall consist of a President elected at large and at least fifteen (15) Vice Presidents as follows: At least eleven (11) from affiliated local unions; one (1) Vice President from the Oahu Division; one (1) Vice President from the Maui Division; one (1) Vice President from the Kauai Division and one (1) Vice President from the Hawaii Division, The Division Vice Presidents shall not be counted under the provisions of Section 3.

Section 2. All officers shall be elected at the Regular Convention in odd-numbered years and shall hold office until their successors are elected and installed. An officer who fails to attend two consecutive meetings of the Executive Board may be charged with neglect of duty and removed from office under provisions of Article VII, Section 8.

Section 3. All Vice Presidents, with the exception of Division Vice Presidents, shall be nominated and elected from among affiliated local unions in accordance with the following formula:

Locals with membership over 15,000	4	
Locals with membership between 10,000 and 14,999	3	
Locals with membership between 5,000 and 9,999		2
Locals with membership between 500 and 4,999		1

The remaining Vice Presidents shall be nominated and elected from among affiliated local unions with less than 500 members. Said affiliates to nominate and elect at least four (4) Vice Presidents.

Section 4. Each officer at the time of the election (except in the filling of vacancies by the Executive Board) shall be a delegate to the convention. All officers shall at all times during this term of office maintain membership in a local union affiliated with the Hawaii State AFL-CIO and their principal occupation or field of union activity shall be within the State of Hawaii. Unless retired, they shall be actively employed in the jurisdiction of the union of which they are a member unless they are employed by this Hawaii State AFL-CIO, the AFL-CIO, or by an affiliate of the AFL-CIO. Failure to comply with these requirements shall cause the Executive Board to declare the officer's office vacant.

Section 5. No individual shall be eligible to serve as an officer, member of the executive board or committee or other governing body of, or any other committee of, or as a delegate from, or as a representative, agent or employee of any state central body who consistently pursues policies and activities directed toward achievement of the program or purposes of authoritarianism, totalitarianism, terrorism and other forces that suppress individual liberties and freedom of association

Any member who advocates or supports movements or organizations inimical to the interest of

the Hawaii State AFL-CIO and its established rules and policies is not eligible to serve as an officer, member of the Executive Board, or any other committee of, or as a delegate.

Section 6. The officers-elect shall assume office at the conclusion of the convention just prior to adjournment. They shall assent to the following obligation before entering upon their duties:

"I (Name) do hereby promise to faithfully perform the duties of the office to which I have been elected to the best of my ability and to the benefit and honor of the Hawaii State AFL-CIO; and in the event of resignation or removal from office, or at the expiration of my term, I promise to deliver to my successor all property in my possession belonging to this Hawaii State AFL-CIO.

I further promise to protect and defend the AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS and to vacate my office and surrender all Hawaii State AFL-CIO property upon the official demand of the President of the AFL-CIO."

Section 7. Powers and Duties of the President: The President shall be the presiding officer of the Conventions, and of the Executive Board. In addition to the duties regularly pertaining to the presiding officer and those elsewhere enumerated in this Constitution, the President shall make a report to the biennial convention of the actions of the Executive Board together with any personal recommendations. The President shall countersign all vouchers and checks for expenditure of all funds of this Hawaii State AFL-CIO. If absent temporarily, the President shall be empowered to designate a Vice President to serve as acting President. The President shall be the principal spokesperson of the Hawaii State AFL-CIO. The President shall be empowered to oversee and control the daily office and staff functions. The President shall submit an annual administrative budget to the Finance Committee Chair no later than March 31 of each year. The President shall appoint a standing Ethical Practices Committee consisting of four (4) members of the Executive Board, serving on a rotating basis, and an Executive Officer.

Section 8. Duties of the Vice Presidents: The Vice Presidents shall serve as members of the Executive Board of the Hawaii State AFL-CIO and as officers of their respective Divisions as provided elsewhere in this Constitution.

Section 9. No officer of this Hawaii State AFL-CIO shall use the prestige of this office to promote or advocate any political party, public issue or candidates for public office except in conformity with the policies of the Hawaii State AFL-CIO, the AFL-CIO, or their political arms.

Section 10. Upon affiliation or re-affiliation of any local union with membership over 500 or upon any affiliated local union reaching membership over 500 that local union shall name its Acting Vice Presidents according to the formula set forth in Section 3 of Article V, and the Hawaii State AFL-CIO Executive Board shall ratify and appoint said Acting Vice President until such time as the next Hawaii State AFL-CIO Convention is convened and the regular election procedure can be followed.

ARTICLE VI

Nominations and Elections

Section 1. (a) Nominations for President may be a special order of business on the first day of the Regular Convention in odd-numbered years. The vote may be by acclamation if there is only one nomination and shall be taken immediately following nominations.

(b) If there is more than one nomination for President, the election can be held on the first or second day of the Convention. The vote shall be by roll call if demanded by twenty-five per cent (25%) of

the delegates, otherwise the vote shall be by standing vote. It shall require a majority to elect. In case there are more than two (2) candidates, and none receives a majority on the first vote, all except the two (2) candidates receiving the greater number of votes shall be eliminated and another vote shall be taken.

Section 2. (a) Following the nomination of the President, the delegates shall assemble in meetings of their affiliated local unions and Divisions. All locals with less than 500 members shall meet together. They shall nominate candidates for Vice President in accordance with the formula in Article V. Section 3 (b)

(b) The election of Division Vice Presidents shall be conducted immediately following the nominations in the local union and Division meetings, by the entire convention.

Ballots shall be counted in a manner to guarantee apportionment in accordance with the distribution of Vice Presidents prescribed in Article V, Section 3. Election may be by acclamation if there is only one nomination for each office to be filled. If there are more nominations than the number of office to be filled, the vote shall be by roll call conducted by written ballots on forms prepared in advance for each Division by the Executive Secretary-Treasurer or the President. The ballot form shall show the name of the Division and shall contain numbered spaces equal to the number of Division Vice Presidents to be elected from the particular Division. The delegates shall fill the blanks with the names of the candidate or candidates for which they wish to vote.

(c) Each ballot shall show the name, organization and number of votes of the delegates casting the ballot as required by the Rules Governing State Central Bodies issued by the Executive Council of the AFL-CIO. After the votes have been tabulated these ballots shall be turned over to the Executive Secretary-Treasurer or the President. They shall become part of the records of the Hawaii State AFL-CIO and shall be preserved and available for examination by any delegate or officer of an affiliated organization for a period of not less than six months.

(d) The presiding officer of each Division shall appoint an Election Committee, none of whom shall be a candidate, to conduct the balloting and count the votes. All delegates from the Division shall be entitled to be present to observe the balloting and counting of the votes, but they shall not interfere in any way with the conduct of the election or the counting of the ballots, nor shall they solicit votes during the balloting while in the room where the election is being conducted. The Chairman of the Election Committee shall have the power to exclude from the room where the election or counting of the ballots is being conducted, any person who violates the above prohibition.

ARTICLE VII

Executive Board

Section 1. The Executive Board shall be composed of the President and all of the Vice Presidents elected in accordance with the provisions of Article VI and of Section 10 of Article V.

Section 2. (a) The Executive Board shall be the governing body of the Hawaii State AFL-CIO between conventions. It is authorized and empowered to take such action and render such decisions as may be necessary to carry out fully the decisions and instructions of the convention and to interpret and enforce the provisions of the Constitution.

Between conventions, it shall have the power to direct the affairs of the Hawaii State AFL-CIO and to take such actions and render such decisions as are necessary and appropriate to safeguard and promote the best interests of the Hawaii State AFL-CIO and its affiliated unions.

(b) Any suspension and/or removal of a staff member of the Hawaii State AFL-CIO shall be

under the direction of the President, subject to the approval of the Executive Board.

Section 3. (a) The Executive Board shall meet at least three (3) times each year in regular meeting at times and places designated by the President. Fifteen Executive Board members from nine affiliated local unions shall constitute a quorum.

(b) Special meetings of the Executive Board may be called by the President or a majority of the Executive Board members.

Section 4. The Executive Board shall choose the delegate and an alternate to the conventions of the AFL-CIO.

Section 5. The Executive Board may appoint an Executive Secretary-Treasurer and it shall have authority to appoint such other personnel, as recommended by the Executive Secretary-Treasurer or President, as may be needed and for which funds are available to carry on the business and activities of the Hawaii State AFL-CIO. The Executive Secretary-Treasurer of the Hawaii State AFL-CIO can be terminated only for just and sufficient cause.

Section 6. The Executive Board shall fix the salary and expense allowance of the Executive Secretary-Treasurer.

Section 7. (a) The Executive Board shall adopt an annual budget to govern the expenditure of the funds of the Hawaii State AFL-CIO. It may re-examine the budget at each meeting of the Executive Board and make such adjustments as may be necessary or desired.

(b) The Executive Secretary-Treasurer or Finance Committee Chair shall submit a financial report of this Hawaii State AFL-CIO at each regular meeting of the Executive Board.

Section 8. The Executive Board or any member thereof or any affiliated organization by vote of its membership, shall have the right to file charges against any officer for violating the Constitution or rules of the AFL-CIO or the Constitution of this Hawaii State AFL-CIO, or for conduct unbecoming an officer, misappropriation of funds, malfeasance in office or neglect of duty. Such charges shall be in writing and filed with the President or Executive Board.

The Executive Board shall determine by majority vote whether or not the charges merit a hearing and it may suspend or remove from office any officer found guilty of such charges by a two-thirds vote following a hearing of which the accused shall have been notified and furnished with a copy of the charges not less than thirty (30) days in advance. An officer who has been suspended or removed from office shall have the right of appeal as provided in the Rules of the AFL-CIO Governing State Central Bodies.

Section 9. In the event a vacancy in the office of the President by reason of death, resignation or otherwise, it shall be the duty of the Executive Secretary-Treasurer or Finance Committee Chair to issue, within ten days of the date of the vacancy, a call for a meeting of the Executive Board of this Hawaii State AFL-CIO, upon ten days notice, for the purpose of filling said vacancy for the unexpired term.

Section 10. In the event of a vacancy in the office of Vice President by reason of death, resignation or otherwise:

(a) a Vice President representing a local with 500 or more members will be replaced by another designated by the union he represents and approved by majority vote of the Executive Board members.

(b) a Vice President representing locals with less than 500 members will be replaced by

another selected by the president from among locals with less than 500 members and approved by majority vote of the Executive Board members.

(c) a Vice President serving as chair of an Island Division will be replaced by another selected by the members of the Island Division where the vacancy occurred and approved by majority vote of the Executive Board members.

Section 11. General Council of Affiliates.

(a) Composition. The General Council of Affiliates shall consist of President, Executive Board, and one (1) representative per affiliated local.

(b) Meetings. The General Council of Affiliates shall meet at such time and places to be set by the Executive Board.

(c) Qualification. The General Council of Affiliates shall be the sole judge of the election and qualification of its members.

(d) Quorum. A majority of the members of the General Council of Affiliates shall constitute a quorum.

(e) Vote. Each member of the General Council of Affiliates shall be entitled to one (1) vote.

(f) Limitation. The General Council of Affiliates shall deal with any matter referred by the Executive Board.

(g) President. The President shall preside at the meeting(s) of the General Council of Affiliates. The President shall appoint such committees as may be necessary subject to the approval of the General Council of Affiliates.

ARTICLE VIII

Duties of the Executive Secretary-Treasurer

Section 1. In addition to the duties elsewhere enumerated in this Constitution, the Executive Secretary-Treasurer shall:

(a) Be the custodian of the records and files of the Hawaii State AFL-CIO and shall keep, or cause to be kept, a correct record of the proceedings of the conventions and of the meetings of the Executive Board.

(b) Prepare an annual budget for consideration of the Executive Board.

(c) Receive and disburse all funds of this Hawaii State AFL-CIO. Maintain proper and adequate financial records to show the standing of all affiliated organizations and the source and disposition of all funds in his care. Handle the funds and keep the financial records in a manner which will meet the applicable requirements of the Code of Ethical Practices concerning accounting and financial controls as approved by the Executive Council of the AFL-CIO.

(d) Submit a monthly financial statement of all funds in the Presidents keeping to the Executive Board and an annual report to the conventions showing the accounts in such detail as the Executive Board may require.

(e) Give bond for the faithful discharge of the position's fiscal duties in such amount as the Executive Board may determine to be required. Should this amount exceed the amount of the bond regularly furnished without cost by the AFL-CIO, the Hawaii State AFL-CIO shall pay the additional cost of such bond.

Section 2. In the event of a vacancy in the office of the Executive Secretary-Treasurer, the President shall assume all duties except that of Article VII, Section 9.

ARTICLE IX

Revenue-Financial Practices-Audits

Section 1. (a) Affiliated local unions shall pay a monthly per capita to the Hawaii State AFL-CIO of sixty cents (60 cents) on all dues-paying members of the local union effective July 1, 2004.

(b) Local unions with members in more than one Division shall show on their per capita reports the number of members in each Division.

Section 2. Affiliated local central bodies and other subordinate bodies as defined in Article III, Section 1, shall pay an annual fee of \$25.

Section 3. A local union desiring to affiliate shall pay one month's per capita tax at the time of affiliation. Per capita tax for succeeding months shall be due on the first of each month thereafter and shall be based on the number of dues-paying members for the preceding month. If per capita tax for any month is not paid by the first of the following month, the local shall be deemed in arrears.

Section 4. Local central bodies and other subordinate bodies desiring to affiliate shall pay one year's fee at the time of affiliating. The annual fee for succeeding years shall be due on the first of the anniversary month each year thereafter. If the annual fee is not paid by the first of the succeeding month after it is due, the organization shall be deemed in arrears.

Section 5. An affiliated local union or other organization which becomes more than two months shall in arrears, not be considered to be in good standing and shall not be entitled to representation in conventions, General Council meetings or Division meetings of this Hawaii State AFL-CIO. It shall be notified promptly in writing of this fact by the Secretary-Treasurer or President.

Section 6. Any organization which becomes more than three months in arrears shall stand suspended from membership in this Hawaii State AFL-CIO and shall be so notified in writing, by the Executive Secretary-Treasurer or President.

Section 7. An organization which has been suspended, or which has withdrawn from membership, may be reinstated by payment of all amounts due at the time of suspension or withdrawal and the current per capita tax and assessments or annual fee. However, the average membership of a local union for purposes of representation and voting in conventions shall be computed from the date of re-affiliation as if it were a newly affiliated local unless the local union shall pay the back per capita tax and assessments for the full twelve-month period used to determine the average membership as set out in Article III, Section 4.

Section 8. A local union paying per capita tax and assessment on less than its full dues-paying membership shall be subject to suspension by the Executive Board. The Executive Board may require a local union to produce proof of membership where reason exists to believe such local union is violating this provision. If the local union shall fail to refuse to produce such proof on request, the Executive Board may base its determination on such evidence as may be available.

Section 9. The Executive Board may exonerate any local union from payment of per capita tax and assessments due the Hawaii State AFL-CIO for any month that in the opinion of the Executive Board good cause therefore exists. Exonerated unions shall be regarded, for the purposes of this Constitution, paid up unions for the period of exoneration.

Section 10. All funds of this Hawaii State AFL-CIO shall be placed on deposit in a national bank or Federally insured financial institution as designated by the Executive Board and shall be paid out only by check bearing the signatures of the President and Executive Secretary-Treasurer or the Finance Committee Chair. No check shall be drawn unless properly supported by a voucher showing the particular purpose of the expenditure. All invoices, receipts and other supporting documents shall be attached to the voucher, which shall be signed by the Executive Secretary-Treasurer or Finance Committee Chair and countersigned by the President. No officer shall be allowed to countersign any checks made out to him/herself or the same affiliate.

Section 11. The accounts and financial records of the Hawaii State AFL-CIO shall be audited annually by a Certified Public Accountant selected by the Executive Board and shall cover the fiscal year from July 1 and June 30, inclusive. These audits shall be submitted to the annual convention. The Executive Board may require more frequent audits or examination of the accounts and financial records of this Hawaii State AFL-CIO in its discretion.

Section 12. The officers of the Hawaii State AFL-CIO shall be reimbursed for necessary and legitimate expenses, including actual loss of salary, which may be incurred in the performance of their duties for the Hawaii State AFL-CIO, provided such expenses have been authorized by the Executive Board and an itemized accounting is submitted to the Executive Secretary-Treasurer or President.

ARTICLE X

Legislative & Political Action

Section 1. The legislative activities of the Hawaii State AFL-CIO shall conform to the policies of the AFL-CIO, and to the policies adopted by the conventions and the decisions of the Executive Board of the Hawaii State AFL-CIO.

Section 2. The political activities of the Hawaii State AFL-CIO shall be under the direction of the Hawaii Committee on Political Education (Hawaii COPE), which is hereby constituted as the political arm of this Hawaii State AFL-CIO. The Hawaii Committee on Political Education shall operate in conformity with the policies of the Committee on Political Education of the AFL-CIO (National COPE)

Section 3. The officers of the Hawaii State AFL-CIO shall occupy the corresponding positions in Hawaii COPE and together shall constitute the Executive Board of the Hawaii COPE.

Section 4. The Executive Board shall have power to formulate bylaws to govern Hawaii COPE. Such bylaws shall be subject to ratification by the convention of the Hawaii State AFL-CIO and the approval of the National AFL-CIO.

ARTICLE XI

Hawaii State AFL-CIO Divisions

Section 1. Four Divisions are hereby created as integral parts of this Hawaii State AFL-CIO as

follows:

- (a) The Oahu Division consisting of all affiliated organizations in the City & County of Honolulu;
- (b) The Maui Division consisting of all affiliated organizations in Maui County;
- (c) The Kauai Division consisting of all affiliated organizations in Kauai County; and
- (d) The Hawaii Division consisting of all affiliated organizations in Hawaii County.

Section 2. These Divisions shall be known as Divisions of the Hawaii State AFL-CIO and shall function with respect to affairs within their respective Divisions in the same manner as local central bodies of the AFL-CIO until such times as official local central bodies may be chartered by the Hawaii State AFL-CIO.

Section 3. (a) The Vice Presidents of Oahu, Maui, Kauai, and Hawaii shall be Chairs of their respective Divisions.

Each Neighbor Island Division shall elect a Vice Chair, Recorder and four (4) members, who along with the Chair, shall constitute the Division Executive Board.

- (b) Based on the average membership, each local union shall be entitled in Division meetings other than those held at Hawaii State AFL-CIO Conventions, the number of delegates as set out in the following schedule:

50 or less	3 delegates
51 to 100	4 delegates
101 to 150	5 delegates
151 to 200	6 delegates

One additional delegate for each additional 100 members above 200.

Section 4. Provision for expenses of the Divisions shall be made in the annual budget of the Hawaii State AFL-CIO and no per capita or fees shall be charged by any Division.

Section 5. Any Division officer elected by the Division who fails to discharge the duties of the office for two consecutive meetings without satisfactory excuse may have the office declared vacant by the Division.

Section 6. These Divisions derive their authority from the Hawaii State AFL-CIO and are subject to its general policies and authority.

ARTICLE XII

Rules, Parliamentary Authority & Amendments

Section 1. The rules contained in Roberts Rules of Order, Revised, shall govern the Hawaii State AFL-CIO in all cases to which they are applicable and in which they are not inconsistent with this Constitution, or special rules of order which may be adopted by the convention.

Section 2. This Constitution may be amended by any Regular Convention in odd-numbered

years, or by a Special Convention called for that purpose, by two-thirds of the vote cast, provided the proposed amendments shall have been submitted in writing and properly certified to the Executive Secretary-Treasurer or President by an affiliated organization in good standing not later than 30 days prior to the final date for issuing the convention call. Amendments may also be proposed by the Executive Board. All proposed amendments shall be included in the convention call and none other may be considered by the convention except as may be required by the President of the AFL-CIO.

Section 3. In case of conflict between the provisions of this Constitution or other laws or actions of this Hawaii State AFL-CIO and the Rules Governing State Central Bodies issued by the Executive Council of the AFL-CIO, the latter shall prevail and appropriate steps shall be taken by the Executive Board to change or modify this Constitution or the laws or actions of the Hawaii State AFL-CIO to bring them into conformity with the Rules.

RULES OF ORDER

Hawaii State AFL-CIO

1. Robert's Rules of Order will be followed unless otherwise specified herein.
2. The convention will convene and adjourn in accordance with the times printed in the program of the convention.
3. Delegates shall be limited to three (3) minutes in their remarks upon any one subject unless given an extension of time by the majority of delegates voting.
4. No delegate shall speak more than once or more than three (3) minutes on the same subject until all delegates desiring the floor shall have spoken and not more than twice without majority consent.
5. It shall require 30 delegates, representing five (5) different National or International Unions to move the previous question.
6. It shall require a three-fourths vote of the convention to suspend the rules of procedure.
7. When a question is before the convention, no motion shall be in order except:
 - (a) To adjourn.
 - (b) To lay on the table.
 - (c) For the previous question.
 - (d) To postpone to a given time.
 - (e) To refer or commit.
 - (f) To amend.
 - (g) To substitute.

These motions shall have precedence in the order herein arranged.

8. The following motions are not debatable:
 - (a) To adjourn.
 - (b) To lay on the table.
 - (c) For the previous question.
9. A motion to adjourn shall always be in order except:

- (a) When a delegate has the floor.
- (b) When delegates are voting.

10. A motion to adjourn shall prevail only by a two-thirds vote unless the hour of adjournment as stated has been reached or the business scheduled for the sessions has been concluded.

HAWAII COPE BYLAWS

Preamble

Pursuant to the Constitution of the American Federation of Labor and Congress of Industrial Organizations and pursuant to resolutions of policy adopted by the American Federation of Labor and Congress of Industrial Organizations in conventions assembled, the following bylaws for the Hawaii State AFL-CIO, Committee on Political Education, are hereby set forth:

I. Name

This organization shall be known as the Hawaii Committee on Political Education, AFL-CIO.

II. Purpose

This Committee is vested with the duty and responsibilities to assess the Hawaii State AFL-CIO in meeting the need for sound political education. It shall 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 committee.

III. Composition

This Committee is a standing Committee of the State AFL-CIO and shall be composed of the following members:

1. The officers and Executive Board members of the Hawaii State AFL-CIO.
2. The Director of the COPE Department of the State COPE.
3. One additional representative from each affiliated local union.

IV. Authority & Duties

1. The Committee derives its authority from the Hawaii State AFL-CIO and is at all times subject to its supervision and jurisdiction. While it is neither a branch nor a subsidiary of the national Committee on Political Education, it shall operate in conformity with the policies of the national AFL-CIO and its national Committee on Political Education.

2. The Committee is charged with the responsibility of advance planning, initiating, stimulating and assisting campaigns:

(a) To encourage the qualification and registration to vote of members of affiliated unions of the AFL-CIO, their families and their friends.

(b) To insure maximum voting participation on election day.

(c) To encourage qualified candidates to seek public office.

(d) To educate members, families and friends and to develop community educational programs on the political issues of the day through study, discussion and other appropriate measures.

(e) To recommend approval or disapproval of candidates and proposals, in both primary and general elections, pursuant to procedures set forth in Article VIII (endorsements)

(f) To assist within its geographical jurisdiction in the effective solicitation of individual contributions to the political education program of the AFL-CIO.

3. The Committee shall have the power to establish subcommittees or departments as it deems desirable and proper, including an administrative committee to carry on the routine duties between meetings of the Committee.

4. The State Committee shall assist in the formation of local union, city, county and division COPEs and, if necessary, shall itself form such COPEs and shall provide assistance, direction and coordination to the political education work of division COPEs within the state.

V. City, County & Division COPEs

1. City, county and division COPEs shall be established pursuant to the bylaws and rules recommended for this purpose by national COPE.

2. The city, county and division COPEs shall have primary responsibility for:

(a) The establishment of central membership record files for AFL-CIO members and their families.

(b) Vote registration and get-out-the-vote drives.

(c) The promotion of precinct, district and other neighborhood committees.

VI. Officers & Committees

1. The President of the Hawaii State AFL-CIO, shall be the Chair of the state COPE.

2. The President shall preside and preserve order at all meetings of the state COPE and of its Executive Board. The President shall transact any such business as may be relevant to the office. The President shall be ex-officio member of all subcommittees.

3. The Executive Secretary-Treasurer or President shall keep a correct record of the proceedings

of the state COPE and of the Executive Board. The Secretary-Treasurer or President shall carry on all correspondence in connection with the business of the state COPE, pay all bills duly authorized and deposit all funds in the bank in the name of the state COPE. The President shall submit a report on the condition of the treasury at each meeting of the state COPE. The Secretary-Treasurer or President shall be ex-officio member of all subcommittees.

VII. Endorsements

1. The Hawaii COPE is committed to the support of honest, sincere, qualified, progressive candidates for public office, who by their actions have demonstrated their support of the public interest and general welfare; objectives to which the AFL-CIO is dedicated. In the making of endorsements, the capability, intelligence, unqualified integrity and past record of the individual shall be employed as criteria for endorsement.

2. These criteria shall not be waived because of membership or non-membership of the candidates in a union affiliated with the AFL-CIO. Candidates for office who are members of affiliated unions of the AFL-CIO and who desire the endorsement of COPE should meet the same high standards required of other non-member candidates and shall be required to follow the same procedures in obtaining COPE endorsement.

3. Membership in an affiliated union of the AFL-CIO by a candidate shall in no way be construed as a COPE endorsement nor shall any member assume that such membership entitled the member to preferential treatment in the selection of candidates for endorsement.

4. Endorsement, if any, shall be made pursuant to the following rules:

(a) Endorsement of candidates for municipal or county offices shall be made by the respective city, county or division COPE.

(b) Action by the State AFL-CIO, or by State COPE when acting for the State AFL-CIO, to support or oppose shall be limited:

- (1) to candidates in primary and general elections
 - i. for the State Legislature or a State Constitutional Convention,
 - ii. for the U.S. House of Representatives,
 - iii. for the U.S. Senate,
 - iv. for Governor,
 - v. for all statewide offices, and

(2) to constitutional and other ballot issues of statewide nature.

(c) Action to support or oppose candidates and statewide ballot issues shall be taken by the State AFL-CIO at a regular or special convention acting on the report of the State COPE or the action may be taken by the State COPE when duly authorized by the State AFL-CIO.

(d) It shall be the responsibility of the State COPE to prepare appropriate recommendations concerning candidates and statewide ballot issues for consideration by the State AFL-CIO.

(e) Action to support or oppose candidates for the State Legislature or a State Constitutional Convention shall be taken only after first considering the recommendations, if any, of the appropriate Local Central Bodies. In the absence of such recommendations, the State AFL-CIO may act on its own initiative.

(f) Action to support or oppose candidate for the U.S. House of Representatives and the U.S. Senate shall be taken only after considering the information available from the AFL-CIO and National COPE. In the case of candidates for the U.S. House of Representatives action shall be taken only after considering the recommendations, if any, of the appropriate Local Central Bodies and Congressional District COPEs established under Rule 35 and in the absence of such recommendations the State AFL-CIO may act on its own initiative.

(g) The State AFL-CIO and the State COPE shall support the action of the National AFL-CIO on candidates for president and Vice President of the United States. No State Central Body shall make any endorsements direct or implied, with respect to the offices of President and Vice President of the United States.

(h) All final actions to support or oppose candidates or ballot issues, whether by the convention, or by the State COPE when acting for the State AFL-CIO, shall require a two-thirds majority of the votes cast. In the absence of a two-thirds majority, either to support or oppose, the State AFL-CIO shall be neutral.

(i) Prior to the submission of its recommendations to the convention, the state COPE may appoint a committee charged with the duty of interviewing candidates to obtain their views on outstanding public questions. Such interviews, if concluded, shall be reported to the state COPE and to the endorsement convention.

(j) No COPE officer or committee member shall act in any official capacity whatsoever on behalf of any political candidates who have been refused COPE endorsement or who are candidates in opposition to COPE-endorsed candidates.

(k) The above procedures shall govern endorsements for both primary and general election.

(1) To insure maximum time to mobilize support on behalf of COPE-endorsed candidates, state, city and county COPE endorsements should be made at the earliest possible date after filing deadline for candidates and primary elections.

5. Early endorsement, if any, shall be made pursuant to the following rules:

(a) Action shall be limited as cited in Article VII, Section 4 (b).

(b) For this purpose, a Committee shall be composed of the following members:

1. The officers and Executive Board members of the Hawaii State AFL-CIO.

2. The Director of the COPE Department of the State COPE.

(c) All early endorsements shall require a two-thirds vote of those present.

(d) In lieu of a meeting, decisions may be made by written mail ballot or a fax ballot.

(e) Not less than ten (10) calendar days notice shall be provided for all meetings.

IX. Finances

1. Each member of an affiliated union of the AFL-CIO shall be asked to contribute individually at least \$2.00 per year to national COPE in support of candidates endorsed by the appropriate bodies of the AFL-CIO. Funds generated by individual COPE contributions and allocated by the

National COPE to the Hawaii State COPE shall be used in campaigns for federal office. Expenditures of these funds shall be made in consultation with National COPE.

2. That portion of the individual contribution funds to be made available for use within the state and its subdivisions shall be allocated in the manner and proportion.

3. The state COPE and its subdivisions may raise additional finances for their work by any legal means as long as such activity does not interfere with the national COPE drive for individual contributions.

4. Separate accounts shall be opened for state COPE individual contributions and for educational fund. Copies of the annual audit of COPE funds shall be made available to the state COPE and a copy furnished to national COPE.