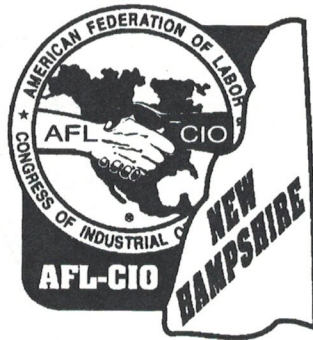


CONSTITUTION
AND
BY-LAWS
OF THE
NEW HAMPSHIRE AFL-CIO



As Amended and Approved at the 57th Constitution Convention May 2 & 3, 2015

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Preamble

The establishment of this Local 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 this community 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 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 American people.

We pledge ourselves to the more effective organization of working men and women; to the securing to them of full recognition and enjoyment of the rights 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 which 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.

With Divine guidance, grateful for the fine traditions of our past, confident of meeting the challenge of the future, we proclaim this constitution.

ARTICLE I.

Name

Section I. This organization shall be known as the New Hampshire AFL-CIO. It shall at all times maintain affiliation with the American Federation of Labor and Congress of Industrial Organizations in accordance with the Constitution and Rules of the AFL-CIO. As a chartered organization of the AFL-CIO, the New Hampshire AFL-CIO shall conform its activities on national affairs to the policies of the AFL-CIO.

ARTICLE II.

Objects and Principles

The objects and principles of this Federation shall be:

- (a) To secure legislation which will safeguard and promote the principle of collective bargaining, the rights of workers, farmers and consumers, and the security and welfare of all the people, and to oppose legislation harmful to these objectives;
- (b) 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 of our democracy;
- (c) To encourage the organization of all workers without discrimination on the basis of race, sex, age, religion, color, national origin or ancestry, disability, marital status, sexual orientation or political affiliation so they may share equally in the full benefits of union organization;
- (d) To preserve the independence of this Federation in political action, 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;
- (e) To influence public opinion and increase public understanding of the labor movement and its contributions to society;
- (f) To aid and assist the bona fide labor press of this state;
- (g) To aid and encourage the sale and use of union-made goods and union services through the use of union label and other symbols;
- (h) To abolish the competition of convict labor with the labor of free workers and to eliminate child labor;
- (i) To promote a strong, free, public education system and to ensure that the contributions of labor are presented;

- (j) To safeguard the democratic character of the labor movement and to protect its autonomy;
- (k) To act in behalf of all labor as a coordination and service agency with the various agencies of state government;
- (l) To abide by and conform to the Constitution of the American Federation of Labor and Congress of Industrial Organizations.

ARTICLE III.

Definitions

- (a) When used, the term "local union" shall include local lodges, local brotherhoods, or other local units of affiliated national or international unions or organizing committees which, in such unions, perform the functions of local unions.
- (b) When used, the term "Executive Council" shall mean the New Hampshire AFL-CIO Executive Council.
- (c) When used, the term "allied retiree organizations" shall mean a state chapter of the Alliance for Retired Americans that is chartered by the National Alliance for Retired Americans.
- (d) When used, the term "AFL-CIO Constituency Groups" shall mean the A. Philip Randolph Institute (APRI), Asian Pacific American Labor Alliance (APALA), Coalition of Black Trade Unionist (CBTU), Coalition of Labor Union Women (CLUW), Labor Council of Latin American Advancement (LCLAA), Pride at Work (PAW), Alliance of Retired Americans (ARA), and such other constituency organizations as may be designated by the Executive Council of the National AFL-CIO.
- (e) Each constituency group may petition the President of the New Hampshire AFL-CIO for a position on the New Hampshire AFL-CIO Executive Council and will be asked to submit a nominee after approval by the Executive Council. The names of nominees will be presented to the NH AFL-CIO Executive Council for approval.

ARTICLE IV.

Affiliation

Section I. The New Hampshire AFL-CIO shall be composed of:

- (a) Local unions chartered by national and international unions affiliated with the American Federation of Labor and Congress of Industrial Organizations and

Solidarity chartered unions affiliated with the AFL-CIO at the national level may affiliate at the local and state levels.

- (b) Local unions directly affiliated with the American Federation of Labor and Congress of Industrial Organizations;
- (c) Local, district or statewide councils of local unions, provided the council is chartered or established by;
 - (1) A national or international union,
 - (2) A department of the American Federation of Labor and Congress of Industrial Organizations, or
 - (3) The American Federation of Labor and Congress of Industrial Organizations.
- (d) A state chapter of the Alliance for Retired Americans that is chartered by the national Alliance for Retired Americans.
- (e) A state chapter, or a local chapter designated by the national organization if no state chapter exists, of an AFL-CIO constituency group.
- (f) Each constituency group may petition the President of the New Hampshire AFL-CIO for a position on the New Hampshire AFL-CIO Executive Council and will be asked to submit a nominee after approval by the Executive Council. The names of nominees will be presented to the NH AFL-CIO Executive Council for approval.
- (g) All Constituency Groups and allied retiree organizations shall have a non-voting seat on the New Hampshire AFL-CIO Executive Council, and will serve a term concurrent with the New Hampshire AFL-CIO Executive Council Vice-Presidents.
- (h) Each Central Labor Council shall be allowed to petition the New Hampshire AFL-CIO Executive Council for a non-voting seat on the New Hampshire AFL-CIO Executive Council. The names of the nominees will be presented to the New Hampshire AFL-CIO Executive Council for approval.
- (i) No AFL-CIO constituency group or allied retiree organization or its delegates may be present for or have voice or vote in any meeting or proceeding of the federation concerning the endorsement of a political candidate or other partisan political activity concerning public elected office, nor may any constituency group or allied retiree organization or its delegates be present for or have voice or vote in any meeting or decision of the New Hampshire AFL-CIO Committee on Political Education (COPE).

Section 2. Fraternal membership, without vote and exempt from per capita tax, shall be accorded to organizations affiliated with an organization named in Section 1 of this article.

ARTICLE V.

Conventions

Section 1. The convention, regular or special, shall be the supreme governing body of this Federation, subject however to the constitution of the American Federation of Labor and Congress of Industrial Organizations.

(a) The Constitutional Convention of the New Hampshire A.F.L.-C.I.O. will be held every odd-numbered year. It shall be held for one (1) or two (2) day(s) during the month of April or any one (1) or two (2) day(s) during the first two (2) weeks of the month of May, to be determined by the Executive Council.

(b) In the even-numbered years, a one (1) day Legislative Conference will be held for the purpose of dealing with legislative and political activities of this organization.

(c) Special Conventions may be called by direction of the Executive Council. The same advance notice requirements shall pertain as for a regular Convention. A Special Convention may also be called by a simple majority of the membership (based on per capita strength) of the New Hampshire AFL-CIO. In the case of the latter, 20 affiliated locals in good standing can present a petition signed by the highest ranking officer of the affiliated union calling for a Special Convention. Said petition will be received by the Secretary/Treasurer and forwarded by certified mail to the highest ranking elected officer of all affiliated locals in good standing for a vote. The vote will be based on the per capita strength of the local as determined in Article 5. All ballots must be returned within 30 days. The petition must receive a majority vote of all of the affiliated unions to pass. The same advance notice requirements shall pertain as for a regular Convention.

Section 2. (a) No less than 30 nor more than 120 days prior to a regularly scheduled convention, the New Hampshire A.F.L.-C.I.O. shall compile and notify each affiliated organization of the availability of a list containing the following information: (i) the name and mailing address of each of the New Hampshire A.F.L.-C.I.O.'s elected officers (including executive Council members); (ii) the name and mailing address of each organization presently affiliated with the New Hampshire A.F.L.-C.I.O.; (iii) the name of each of the affiliated organization's principal officers; (iv) each organization's projected per capita voting strength and delegate entitlement at the convention; and (v) to the extent available, the names and mailing addresses of the delegates who will be entitled to a vote at the convention. In any year in which there is not a regularly scheduled convention, the New Hampshire A.F.L.-C.I.O. shall, during the same month as the last convention was held, compile and notify each affiliate organization of the availability of an updated list containing the information set forth in the first three parts of the preceding sentence, and if the New Hampshire A.F.L.-C.I.O.'s constitution provides for per capita voting between conventions, the per capita voting strength each affiliated organization is entitled to in such a vote at the time the list is prepared. Officers of the organizations affiliated with the New Hampshire A.F.L.-C.I.O. 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.

(b) All conventions shall be under the direct supervision of the New Hampshire A.F.L.-C.I.O.

Executive Council. This does not exclude any Local Union, Local Central Body, or Joint Board, affiliated with the New Hampshire A.F.L.-C I.O. from appearing before the Convention and requesting the Convention for that particular district.

(c) There shall be a registration determined by the Executive Council, for each delegate attending the convention.

Section 3. An audio record will be kept of convention proceedings. Said record will be made available to all registered delegates. A party requesting a written transcript will be responsible for the cost associated with said services.

Section 4. There shall be a Sergeant-at-Arms selected by the Executive Council at its last meeting prior to the convention. A Sergeant-at-Arms cannot be a delegate to the Convention.

Section 5. For the purpose of the convention, the President shall appoint the following committees with each committee to consist of not less than five (5) and not more than eleven (11) delegates. No more than two (2) delegates from any National Union shall sit on any one (1) committee.

1. Committee on Credentials
2. Committee on Report of President and Secretary/Treasurer
3. Committee on Amendments and Resolutions
4. Committee on Constitution
5. Committee on Grievances

Section 5a. The above named committees may be appointed at least fourteen (14) days prior to the opening of the convention, if in the opinion of the President, there are sufficient matters in the hands of the Secretary-Treasurer and/or Legislative Agent. It shall be the duty of the Committee on Credentials to meet at least one (1) hour prior to the appointed opening time of the convention and report immediately on the opening of the convention. All committees not previously appointed, shall be appointed immediately following the adoption of the report of the Committee on Credentials. The Secretary-Treasurer shall furnish to the President a list of delegates, whose credentials have been submitted, in ample time to allow the appointment of committees as herein provided.

Section 5(b). Introduction of all amendments and resolutions to be acted upon by the delegates in convention shall be introduced in the following manner: presentation of resolutions by affiliated local unions or by duly elected delegates to the convention shall be in duplicate form, received by the Secretary-Treasurer thirty (30) days prior to the opening date of the convention in order that they may be put into printed form for the consideration of the delegates and members of the committees.

Section 5(c). All amendment and resolutions received by the Secretary-Treasurer shall be reproduced and mailed, to all affiliated local unions and registered delegates at that time, no later than fourteen (14) days prior to the convention. No resolution shall be introduced after adjournment of the Saturday morning session except by presentation on the floor and passage by a two-thirds vote of delegates present and voting. All resolutions received by the Secretary-Treasurer less than two (2) weeks prior to the first day of the Convention shall not be subject to printed form for each delegate and members of the committees.

Section 6. At the opening of the convention, the President shall take the chair and call the convention to order and shall preside until his successor has been elected and assumes his/her duties in accordance with Article VIII, Section 5 "Terms of Office"... The rules and order of business governing the preceding convention shall be in force from the opening of the convention of the New Hampshire A.F.L.-C.I.O. until new rules have been adopted by the convention.

Section 7. A roll call vote shall be held on any pending question upon the demand of thirty percent (30%) or more of the delegates present and voting. On roll call votes, the number of votes of each affiliated union shall be based on the number of members as determined in Article V Representation.

Section 8. Thirty-three percent (33%) of the delegates seated at the convention shall constitute a quorum for the transaction of business.

ARTICLE VI.

Representation

Section 1. The basis of representation in the convention shall be as follows:

Each local union of a National or International Union affiliated with the A.F.L.-C.I.O. and local unions chartered directly by the A.F.L.-C.I.O. shall have representation and vote as follows:

100 or less members, 1 delegate and 1 vote; and 1 additional delegate and vote for every additional 100 members or any fraction thereof. Locals entitled to more than six delegates may apportion their voting strength, among six delegates or more. The votes of a local union shall be divided among all its registered delegates and each delegate shall be entitled to cast only his/her assigned number of votes.

State Councils and Joint Boards affiliated with the New Hampshire A.F.L.-C.I.O. shall be entitled to one delegate and vote. The delegate must be a member in good standing of a local union affiliated with the New Hampshire A.F.L.-C.I.O.

Area and central labor councils chartered by the AFL-CIO shall be entitled to one delegate and one vote.

Local and state councils chartered by the trade and industrial departments of the AFL-CIO shall be entitled to one delegate and one vote.

Joint boards, state councils and district councils chartered by a national or international union shall be entitled to one delegate and one vote.

The state retiree council and appointed constituency groups shall be entitled to one delegate and one vote.

Section 1(a). Delegates to the state central body must be members in good standing of the affiliated local union he or she desires to represent, unless he/she is a district, state, national or international union representative regularly servicing such affiliated local union. No one shall be eligible to serve as a delegate who holds membership or a salaried position, or any other position of administrative or executive authority in a Union or any subordinate branch of a Union which has been suspended or expelled from the A.F.L.-C.I.O.

Section 1(b). No individual shall be eligible to serve as an officer, member of the executive council 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 the achievement of the program or purposes of authoritarianism, totalitarianism, terrorism and other forces that suppress individual liberties and freedom of association.

Section 1(c). The basis of representation at the Convention shall be based on the average number of members on whom per capita tax was paid over a period beginning January 1, and ending December 31, of the prior year. Local affiliation for less than the prescribed period shall be determined by dividing the total per capita tax paid for all months affiliated by twelve (12).

Section 2. In the event two or more affiliated local unions merge into one local union, the average per capita tax paid by the terminated local union for the period beginning January 1 and ending on the day of termination and actual affiliation shall be added to the average per capita tax paid by the merged local for the period ending December 31 of the prior year and representation at the Convention for the merged local unions shall be determined by dividing the combined total per capita tax paid by the merged locals for all months affiliated by twelve (12).

Section 2(a). No organization whose affiliation with the National AFL-CIO or an International or National union has been forfeited, suspended or terminated shall, while unaffiliated, be allowed representation or recognition at a convention.

Section 2(b). No affiliate shall be represented by proxy and no delegate shall represent more than one (1) affiliate except a delegate who is a member of an International Union may represent up to five (5) local unions affiliated with the same International Union and with the New Hampshire AFL-CIO, provided that the delegate is a member of one of the five locals, and the combined membership of said local unions is not greater than one hundred (100) members.

Section 3. Delegates shall not be entitled to a seat in the Convention of this body unless their organization is in good standing i.e. their per capita tax paid up to and including the month of December.

Section 4. Any organization affiliated with the New Hampshire A.F.L.-C.I.O. not paying its per capita tax within thirty (30) days after being notified by the Secretary-Treasurer shall be reported to the Executive Council, and the President & Secretary-Treasurer of the affiliated local, and if at the end of three (3) months from date of notice, said organization is still in arrears, the Executive Council shall suspend said organization and any member of said organization holding office in the New Hampshire A.F.L.-C.I.O. The Executive Council shall declare that office vacant and the local can only be reinstated by the payment of arrearage or with the unanimous consent of the Executive Council. Failure of the council to agree unanimously shall cause the matter to be

brought before the next convention for decision to be made. A union that has been suspended for nonpayment of per capita tax may pay only the amounts in arrears, but cannot pay for additional months to increase voting strength.

Section 5. The Executive Officers of the New Hampshire AFL-CIO shall, by virtue of their office, be an automatic delegate to the New Hampshire AFL-CIO conventions with voice and vote. They shall be entitled to run for re-election of the New Hampshire AFL-CIO. The Executive Officers shall consist of President, Executive Vice President, and Secretary-Treasurer.

Section 6. All applications for re-affiliation with the New Hampshire A.F.L.-C.I.O. shall be presented to the Executive Council for acceptance or rejection.

Section 7. The General President of the AFL-CIO, and her/his designees, shall have the right to participate, and have a voice (no vote), in all activities, meetings, and deliberations of the State AFL-CIO.

Section 8. The New Hampshire AFL-CIO shall undertake all reasonable efforts to ensure diversity or representation at every level.

ARTICLE VII.

Nominations and Elections

Section 1. Candidates whose names have been placed in nomination shall accept or decline such nomination prior to the recess of the afternoon session on the day of nomination. A nominee for office who is not present at the Convention, shall be eligible to run for office with the qualification that a delegate representing the nominee must show by letter, telegram, fax, or other document, that the nominee accepts the nomination and will serve if elected.

All officers shall maintain membership in a local union affiliated with the New Hampshire AFL-CIO during the term of office.

Section 2. There shall not be more than three (3) Vice-Presidents of the Executive Council who are members of the same National, International or Federal Union. In the event an election results in more than three (3) Vice Presidents being elected from the same National, International or Federal Union, there shall be a runoff election held including the candidates elected from the respective National, International or Federal Union. The three candidates with the greater number of votes shall be declared elected.

Section 3. Nominations for elective office of the New Hampshire A.F.L.-C.I.O. shall take place at 11:00 am on the first day of the convention. No additional nominations for office will be accepted after the close of nominations.

Section 4. Nominees for elective office of the New Hampshire AFL-CIO shall adhere to the Ethical Practices Code for AFL-CIO Officers and Representatives.

Section 5. On two (2) day conventions, the election of all officers of the Executive Council shall take place between 8:00a.m. and 11:00a.m. on the second day. On one (1) day conventions, the

election of all officers of the Executive Council shall start between 2:00 pm and 4:00 pm on the day of the Convention. Contested elections shall be conducted by printed ballot. The ballot shall show the name, organization and the number of votes of the delegate casting the ballot. When there is no contested election for an officer, the Secretary-Treasurer shall cast one (1) ballot and declare the candidate elected to the office. The Secretary shall supply the roll of the delegates present and eligible to vote and shall supply such material as will be required to conduct this ballot. No delegate shall be permitted to cast the proxy of another delegate and no delegate shall be allowed to represent more than one organization.

Section 6. The President shall appoint a committee of eight (8) delegates to act as an Election Board immediately following the closing of all nominations. No delegate who is a candidate for office may serve on this board nor shall there be more than one delegate from any one international labor organization. The President shall, upon appointing, designate one (1) as judge and the others as clerks.

Section 7. Such board shall be responsible for the proper conduct of the elections.

Section 7(a). The Board shall distribute ballots to the delegates.

Section 7(b). Upon completion of the balloting, it being determined by the judge that all eligible delegates who care to vote have done so, the polls shall be declared closed and the board shall then proceed to prepare and submit a count of the ballots to the convention. A written copy of the results of the balloting shall be signed by the Board and given to the Secretary-Treasurer for the records. The roll call sheet and ballots shall become part of the records of the convention 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 (6) months. If an election appeal is filed, the roll call sheet and ballots shall not be destroyed until after a final decision has been rendered and all appeals have been exhausted.

Section 7(c). If in the elections there be more than two (2) candidates for each of the offices of President, Executive Vice-President or Secretary-Treasurer and none receive a clear majority on the first ballot, the two (2) candidates receiving the most votes shall be involved in a run-off election. If there is insufficient time for the printing of a ballot, voting shall be done by roll call. The run-off election, if necessary, shall be conducted at the same convention as the original election. Where there is no contest for an Executive Committee position, the New Hampshire AFL-CIO Secretary-Treasurer will cast one ballot and declare the nominee elected to that office.

Section 7(d). In the event that a member involved in an election for a position as an officer of the NH AFL-CIO wishes to appeal the election for that position, they shall utilize the following methods:

(1) Any election appeal shall be filed with the judge of the Election Board in writing on the day of the election or not more than ten (10) days after the end of the Convention, with the reason for the appeal.

(2) The Judge of the Election Board shall immediately declare that the Election is under appeal and for what position. All elected officer positions not under appeal shall assume their positions in accordance with Article VII, Section 8.

(3) The Election Board shall be convened to investigate the substance of the appeal. All ballots and any other applicable documentation shall be provided to the Election Board per Article VII, Section 6.

(4) If the election Board determines the election for the position under appeal was improper, a new election will be held for that position. The Judge will provide a written statement to the President and Executive Council of the Election Board findings. An election will be conducted by the Election Board via United States Postal Service mail. Delegates registered for the Convention shall have twenty-one (21) days for their votes to be received from the date of the mailing of ballots. If the Election Board found no discrepancies with the election, the Judge will provide a written statement to the President and Executive Council of such findings.

(5) The decision of the Election Board may be appealed to the President of the AFL-CIO within thirty (30) days of the final report of the Election Board.

Section 8. Term of Office: All vice presidents shall hold office for a two (2) year term, from July 1 through June 30 following their election. The outgoing vice presidents shall turn over all books, records, property, and assets of the New Hampshire AFL-CIO to the vice presidents elected at the Constitutional Convention prior to the first day of January. The Executive Officers of the New Hampshire AFL-CIO (President, Executive Vice President and Secretary-Treasurer) shall hold office for a four (4) year term from July 1 to June 30 following their election. The outgoing officers shall turn all books, records, property, and assets of the New Hampshire AFL-CIO to the officers elected at the Constitutional Convention

Section 9. The elected officers of the New Hampshire A.F.L.-C.I.O. shall take the following pledge, administered by any delegate or officer designated by the President.

PLEDGE

"I, (name of officer-elect) do hereby solemnly and sincerely swear, that to the best of my ability, I will fulfill all the obligations and perform all the duties devolving upon me in the office to which I have been elected, and at all times will abide by and preserve the laws and uphold the integrity of the New Hampshire A.F.L.-C.I.O., and will always strive for general interest, benefit, and advancement of the members of this organization."

"I do further affirm, that upon the completion of my term in office I will transfer to my successor all books and properties of the New Hampshire A.F.L.-C.I.O. of which I have been custodian. To all this, I do now pledge my most sacred honor."

ARTICLE VIII.

Officers

Section 1. The Executive Officers shall consist of a President, an Executive Vice-President and a Secretary-Treasurer. No more than one (1) Executive Officer shall be a member of the same international union.

Section 2. The Executive Council shall consist of the Executive Officers and 20 voting Vice-Presidents. No more than two (2) of these Vice-Presidents shall come from any one district as defined in this constitution. Six Vice-Presidents shall be elected at-large in descending order.

Section 3. All officers and managerial employees of the New Hampshire AFL-CIO must certify that they have read the AFL-CIO's Ethical Practices Code, that they are in compliance with it, and, if not, state the steps that will be taken to comply with it.

District No. 1 - Berlin

Haverhill, Benton, Bath, Landaff, Easton, Franconia, Lisbon, Lyman, Monroe, Littleton, Bethlehem, Bartlett, Chatham, Berlin, Jackson, Groveton, Towns North to Canadian border, East to Maine and West to Vermont.

District No. 2 - Lebanon, Claremont

Piermont, Warren, Ellsworth, Rumney, Wentworth, Orford, Lyme, Dorchester, Groton, Alexandria, Orange, Canaan, Hanover, Lebanon, Enfield, Grafton, Danbury, Wilmot, Plainfield, Grantham, Springfield, New London, Sunapee, Croydon, Cornish.

District No. 3 - Keene, Newport

Charlestown, Unity, Goshen, Langdon, Acworth, Lempster, Walpole, Washington, Alstead, Marlow, Stoddard, Surry, Gilsum, Sullivan, Nelson, Westmoreland, Keene, Roxbury, Harrisville, Antrim, Hancock, Chesterfield, Swanzey, Marlboro, Dublin, Hinsdale, Peterborough, Winchester, Richmond, Troy, Jaffrey, Sharon, Rindge, Fitzwilliam.

District No. 4. - Portsmouth

Portsmouth, Newington, Durham, Rollinsford, Madbury, Dover, Somersworth, Barrington, Rochester, Strafford, Farmington, Newfields, Brentwood, Exeter, Kingston, Newton, South Hampton, North Hampton, Hampton, Hampton Falls, Kensington, Stratham, Rye, Greenland, New Castle, Seabrook, Epping, Newmarket.

District No. 5 - Nashua

Plaistow, Hampstead, Atkinson, Salem, Pelham, Windham, Amherst, Hollis, Mt. Vernon, Milford, Brookline, Lyndeboro, Wilton, Mason, Greenfield, Temple, New Ipswich.

District No. 6 - Manchester

New Boston, Goffstown, Bedford, Hooksett, Manchester, Candia, Auburn, Raymond, Chester, Freemont, Sandown, Danville.

District No. 7 - Concord, Lakes Region

Newbury, Sutton, Bradford, Warner, Webster, Boscawen, Loudon, Canterbury, Epsom, Pittsfield, Chichester, Northwood, Pembroke, Allenstown, Deerfield, Hillsboro, Henniker, Hopkinton, Concord, Bennington, Deering, Francistown, Weare, Bow, Dunbarton, Milton, Brookfield, Wakefield, New Durham, Wolfeboro, Ossipee, Effingham, Eaton, Freedom, Madison, Conway, Alton, Tuftonboro, Tamworth, Albany, Gilmanton, Belmont, Gilford, Moultonboro, Sandwich, Waterville, Livermore, Lincoln, Tilton, Northfield, Sanbornton, Laconia, Meredith, Center Harbor, Holderness, Campton, Thornton, Woodstock, Salisbury, Franklin, Andover, Hill, New Hampton, Bristol, Bridgewater, Ashland, Plymouth.

ARTICLE IX.

Duties of the President

Section 1. It shall be the duty of the President to preside at all Conventions and sessions of the Executive Council; to be ex-officio chairperson of all standing committees other than where another chairperson is specified; to exercise supervision over the affairs of the New Hampshire A.F.L.-C.I.O.; to devote his/her time and activities to the building up and maintaining of the New Hampshire A.F.L.-C.I.O. and its affiliated organizations; to sign all official documents; to countersign checks drawn on the New Hampshire A.F.L.-C.I.O. treasury; to act as Legislative representative before all sessions of the New Hampshire State Legislature; to carry out the legislative program of the New Hampshire A.F.L.-C.I.O. as directed by the Executive Council; to report on all such activities, actions, meetings, and agreements made in behalf of his/her office and the New Hampshire A.F.L.-C.I.O. to the Executive Council; to act as editor of any official New Hampshire A.F.L.-C.I.O. paper; to make a written report of his/her activities to the Convention, including a roll call voting record of the Representatives and Senators who voted for/against legislation connected with labor's progress; compile and keep up to date, a list of Presidents, and/or Business Managers or Agents, and Secretaries of the affiliated unions and a current address of each; and to call for such assistance as the business of the New Hampshire A.F.L.-C.I.O. may require.

The President shall be further empowered to:

- a. Fill all vacancies in the Executive Council, subject to the approval of the Executive Council.
- b. Notify, as soon as possible, all affiliated local unions of any bills pending in the Legislature primarily affecting labor and the position of the New Hampshire A.F.L.-C.I.O. as determined by the Executive Council.
- c. Interpret and enforce the Constitution of the New Hampshire A.F.L.-C.I.O., between meetings of the Executive Council. The President's interpretation shall be conclusive and in full force and effect unless reversed or changed by the Executive Council or the Convention or President of the AFL-CIO.
- d. Ensure that the accounts of the New Hampshire AFL-CIO are audited at the close of each fiscal year by an outside auditor.
- e. Call meetings of the Executive Council when he/she deems it necessary.
- f. Be a delegate to all A.F.L.-C.I.O. Conventions.

Section 2. The President shall name an Advisory Council shall be comprised of the 3 principal officers and 2 Executive Council members, one Executive Council member shall be chosen by the Executive Council and the other by the President.

Section 3. The duties and the office of the President shall be compensated for, on a full time basis, at the rate of Sixty Thousand Dollars (\$60,000.00) per year for the year 2001, payable

biweekly. The Executive Council of the New Hampshire A.F.L.-C.I.O. shall review and adjust the salary annually using as a basis the Bureau of Labor Statistics Employment Cost Trends Indicator.

In the event of a significant loss of revenue to the New Hampshire AFL-CIO it shall be the duty of the President to meet with the Executive Council and present an appropriate operational plan which will address this event. The Executive Council can suspend the provisions of Article IX, Section 2 and Article XI, Section 2, only after due and careful consideration of all of the information presented by the President and only with the consent of a two thirds majority of the full Executive Council.

ARTICLE X.

Duties of the Executive Vice-President

Section 1. The Executive Vice-President shall perform the duties of the President in the President's absence, removal or resignation, until this vacancy is filled by a special election called by the Executive Council under Article IV, Section 1(b) within thirty (30) days of the vacancy. In the event there is a convention within three (3) months of the date of the vacancy, the election shall take place at that convention. The Executive Vice-President shall also discharge the duties of the President when called upon to do so including the signing of checks when either the President or Secretary/Treasurer is not available, or such other duties as may be designated by the Executive Council.

ARTICLE XI.

Duties of Secretary-Treasurer

Section 1. It shall be the duty of the Secretary-Treasurer:

- a. To take charge of all books, papers, and effects of the New Hampshire A.F.L.-C.I.O.
- b. To conduct the correspondence pertaining to his/her office.
- c. To furnish the executive officers with necessary stationary.
- d. To act as secretary at all conventions and of the Executive Council, and to keep all letters, documents, accounts, etc. open at all times to the inspection of all officers of the State Labor Council.
- e. To receive, collect and receipt all moneys due to the New Hampshire A.F.L.-C.I.O.
- f. To deposit all funds in such bank or banks as may be designated by the Executive Council and only in the name of the New Hampshire A.F.L.-C.I.O.
- g. To withdraw none of said money in any manner other than by check, signed by himself/herself and countersigned by the President, with their official titles.

- h. To submit a copy of the audited financial statements to all affiliate Presidents annually.
- i. To submit a surety bond in the amount of one thousand dollars (\$1,000.00) more than the actual annualized assets of the New Hampshire AFL-CIO, or an amount equal to no less than ten percent (10%) of its revenue in the prior fiscal year, the expense of said bond to be defrayed by the New Hampshire A.F.L.-C.I.O. and said bond to be deposited with the President.
- j. To deliver to his/her successor all money, security, books, papers, and other property of the New Hampshire A.F.L.-C.I.O. in his/her possession at the expiration of his/her term of office.
- k. To forward a copy of all resolutions that have been favorably acted upon by the convention to the Executive Council for any future action that may be necessary.
- l. To employ such help as he/she may deem necessary for the conduct of his/her official work for the convention, including sufficient secretarial help for the services of the official committees of the convention.
- m. To submit to the Annual Convention a written report of all his/her acts in relation to his/her work as Secretary-Treasurer and said report of the Secretary-Treasurer be printed and a copy made available for each delegate at the Convention and a copy sent to each affiliate.

Section 2. Effective July 1 2015 the salary of the Secretary Treasurer will be 400.00 dollars a month payable on the first pay period of each month.

The Secretary Treasurer can request additional staff support from the President of the New Hampshire AFL-CIO to assist them in the performance of their duties. This staff shall become an employee(s) of the New Hampshire AFL-CIO and will be housed at the general offices of the New Hampshire AFL-CIO. The President will exercise general supervision over this staff.

Section 3. The Secretary-Treasurer shall send the Convention Call to affiliated unions not later than sixty (60) days prior to the first day the Convention is to meet.

ARTICLE XII.

Duties of Executive Council

Section 1. While we recognize the right of each union to manage its own affairs, it shall be the duty of the Executive Council to secure the unification of all labor organizations, so far as to assist each other in any manner deemed justifiable and with voluntary financial help in the event of a strike or for the publishing of a suitable labor paper. Such agreement shall specify terms and continue for a one or two year period.

Section 2. In all questions not covered by this Constitution and the General Constitution, the Executive Council shall have power to make rules to govern the same, and shall report accordingly to the New Hampshire A.F.L.-C.I.O. All such rules and decisions shall conform to the spirit of the Constitution and conform to the Rules Governing AFL-CIO State Central Bodies and the provisions of the AFL-CIO Constitution.

Section 3. No members of the Executive Council, no member of any committee, appointed or chosen by the Convention of the New Hampshire A.F.L.-C.I.O., or the Executive Council, shall be interested in a private capacity, directly or indirectly in any contract or agreement for labor, or for any material, goods, wares, or merchandise furnished to the New Hampshire A.F.L.-C.I.O. wherein the New Hampshire A.F.L.-C.I.O. is a party interested, unless the same be expressly authorized to be made and entered into with a person by some law or order of the State Labor Council.

Section 4. The Vice-Presidents shall visit all non-affiliated unions in their district and try to induce them to affiliate with the New Hampshire A.F.L.-C.I.O. They shall assist in the formation and servicing of Local Chapters established by the New Hampshire AFL-CIO. They shall report their yearly activities in writing to the delegates assembled at the biennial Convention.

Section 5. The Executive Council shall meet once every two months, at such time as determined by the Executive Council, unless in the opinion of the President there is a need, then he/she will have the authority to call the Executive Council together for additional meetings. A quorum for meetings of the Executive Council shall be 50% plus 1 of the members based on non-vacant positions. A quorum must be physically present at the meeting location to conduct substantive business. The Executive Council may, by petition of fifty-one percent (51%), call a meeting of the Executive Council. Meetings may be held by telephone or virtual media, so long as each person present at meeting may hear all others present and may speak and be heard by all others present during the meeting. No votes shall be taken on filling vacancies on the Executive Council during telephone or virtual meetings. Virtual media means the use of Skype, Go To Meeting, or any other type of virtual meeting software. Minutes of such meetings shall be kept and votes recorded by the Secretary/Treasurer or other designated person in his/her absence.

Section 5(a). Any member of the Executive Council of the New Hampshire A.F.L.-C.I.O., who fails to attend three (3) consecutive meetings of the Executive Council unless excused for justifiable reasons, may be charged with neglect of duty and removed from office by a majority vote of the Executive Council at it's next regular or special meeting, provided the Officer involved shall be given reasonable notice of the charge and the proposed action to remove him/her and is afforded an opportunity to be heard at such meeting.

Section 6. The Executive Council shall have the right to negotiate and conclude an agreement with any publisher they deem favorable to labor's cause, for the publishing of a suitable labor paper. Such agreement shall specify terms and continue for a one or two year period.

Section 7. Any committee appointed by the President or selected by the Executive Council for the purpose of transacting conventions, shall be made from the Executive Council.

Section 8. The Executive Council shall establish and maintain a Health & Welfare Program and a Pension Program for the full time office of the President.

Section 9. The Executive Council shall prepare an annual budget and adopt a written expense policy. Expenses shall be reimbursed only upon submission of original receipts. The use of the New Hampshire AFL-CIO's credit card for personal use is prohibited.

Article XIII.

Revenue

Section 1. The revenue of the New Hampshire, AFL-CIO shall be derived from Local Unions which shall pay into the treasury of the New Hampshire AFL-CIO a per capita tax of one dollar and thirty-three cents (\$1.33) per month beginning July 1, 2010, and one dollar and thirty-eight cents (\$1.38) beginning July 1, 2012 for each member to be paid quarterly or monthly to the Secretary-Treasurer of the New Hampshire AFL-CIO. It is further provided that each Central Labor Body or Council and Joint Board shall pay fifty (\$50.00) dollars per annum.

Section 1(a). If any affiliated local union shall become unable to pay per capita tax because of financial difficulty caused by strikes, lockouts, unemployment, or other valid reasons, the Executive Council may, on the basis of suitable evidence of the respective local union affairs, instruct the Secretary-Treasurer to waive such per capita for such a length of time as the particular case may warrant. The Secretary-Treasurer shall enter such order upon the minutes of the Executive Council.

Section 2. Whenever the revenue of the State Labor Council shall warrant such action the Executive Council shall authorize the sending out of trade union speakers from place to place in the interest of the State Labor Council.

Section 3. The compensation of any officer, organizer, or any person doing work for the New Hampshire A.F.L.-C.I.O., shall be not more than wages sacrificed and for subsistence and travel expenses actually expended on carrying out his/her work, unless provided otherwise in this constitution.

ARTICLE XIV.

Removal of Officers

Section 1. The New Hampshire AFL-CIO, acting through its Executive Council, may suspend or remove any Officer or member of the Executive Council on written charges, notice and hearing for violation of the constitution of the AFL-CIO of any of the "Rules Governing State and Central Bodies" or the rules or the constitution or bylaws of the New Hampshire AFL-CIO or for conduct unbecoming an officer of the New Hampshire AFL-CIO, misappropriation of funds, malfeasance in office or neglect of duty. Such charges shall be signed by the proper Executive Officers of any constituent union or by an Executive Officer or Executive Council member of the New Hampshire AFL-CIO.

Section 2. The written charges shall be submitted in writing to the President of the New Hampshire AFL-CIO unless the charges are against the President in which case the written charges shall be submitted to the Secretary -Treasurer of the New Hampshire AFL-CIO.

Section 3. All written charges shall first be sent to the President of the National AFL-CIO to determine that all charges alleged are properly before the Executive Council and that provisions referred to in Section 1 have been properly interpreted.

Section 4. Any Officer or member of the Executive Council so charged shall be furnished with a written detailed statement of the charges against him/her and shall be tried by the Executive Council, provided said trial shall not be sooner than fifteen (15) days nor later than sixty (60) days after delivery of such written charges. The charged officer or member of the Executive Council shall bear all the cost associated with this section.

(a) The charged Officer or Executive Council member shall have the right to counsel, and to be faced by his/her accusers and witnesses against him/her, and have the right to present evidence and witnesses in his/her behalf. In the event charges against him/her are sustained by a majority of the members of the Executive Council, exclusive of the individual or individuals so charged, he/she shall be forthwith removed from office and the vacancy filled in the prescribed manner.

(b) The decision of the Executive Council shall stand, however, he/she shall have the right of appeal to the next Convention which may sustain or reject the Executive Council decision by majority vote. Any Officer or Executive Council member, against whom charges are filed, shall have no vote on the question of sustaining or rejecting the charges against him/her.

Section 5. Any final decision of a State Central Body in a matter requiring a hearing within the State Central Body may be appealed to the President of the National AFL-CIO within thirty (30) days after the decision appealed from. The decision of the President may thereafter be appealed to the Appeals Committee of the Executive Council of the AFL-CIO. Any such appeals shall be filed in writing with the Secretary-Treasurer of the National AFL-CIO within thirty (30) days after notice of the action being appealed. Appellants shall have the right to appear before the Appeals Committee on any appeal taken pursuant to this paragraph. The decision of the Appeals Committee may be further appealed to the next succeeding regular convention of the AFL-CIO in accordance with the "Rules Governing".

Section 6. If in the opinion of the Executive Council it determines that to leave an officer in place would potentially cause irreparable harm to the organization then the Council may suspend the officer with pay on a two thirds majority vote of the council pending the outcome of the panel.

ARTICLE XV.

Amendments

Section 1. This Constitution may be amended or altered at a regular session of the convention or a special Convention called pursuant to Article V, Section 1(c) for this purpose. All proposed changes to the Constitution must be received by the Secretary-Treasurer thirty (30) days prior to the Convention, and affiliated locals shall receive copies of such proposed changes. All amendments received by the Secretary-Treasurer shall be reproduced and mailed, to all affiliated local unions and registered delegates at that time, no later than fourteen (14) days prior to the convention. Changes may be introduced later, only by a two-thirds vote of delegates present and voting. Also, provided that upon a petition of twenty (20) affiliated unions, amendments to the constitution may be proposed upon the receipt of the petition signed by the required number of affiliated unions, the Executive Council shall send to every affiliated union a copy of the proposed amendments and each affiliated union shall have as many votes as they are entitled to convention delegates. Any amendments receiving two-thirds of all votes cast shall become law.

Section 2. Any amendment to the Constitution making any changes in the per capita tax, by the convention, shall be submitted to a roll call vote, and shall require a two-thirds (2/3) vote of all present to become operative, all present not voting to be counted in the affirmative.

Section 3. This Constitution shall take effect upon its adoption by the Convention subject to the approval of the President of the A.F.L.-C.I.O.

ARTICLE XVI.

Committees

Section 1. The President may, with the approval of the Executive Council, form any such committee as necessary in order to pursue the objectives of the State Federation and develop and implement policies of the Executive Council. Committees shall be comprised of the Executive Council members and such other persons as the President appoints.

Section 2. At a minimum, the Executive Council shall form the following Standing Committees at their first regular meeting after each convention. Volunteers to fill each committee shall be solicited first from the Executive Council and then, if not enough volunteers come forward, a general solicitation shall be sent to all affiliates.

a. **Legislative Policy Committee:** The committee is responsible for the development of the New Hampshire AFL-CIO policy positions and advocacy strategies which will positively impact the mission and goals of the new Hampshire AFL-CIO.

The Legislative Policy Committee is responsible for organizing and implementing the union's grassroots legislative efforts. The Committee is comprised of a minimum of the President and up to seven New Hampshire AFL-CIO Executive Council members/members at large. The Legislative Committee works with the legislative team to develop training sessions, recruit volunteers, and disseminates information about legislative activities. The Committee is also responsible to make recommendations on the priority of legislation actions needed to the Executive Council. The Committee is also responsible to prepare the applicable questionnaires to candidates seeking political office.

b. **Constitutional Committee:** The New Hampshire AFL-CIO Constitutional Committee ensures that the proposed amendments to the New Hampshire AFL-CIO constitution meet deadlines prior to conventions. The Committee debates each proposal with the goal of submitting a recommendation for or against adoption to the Executive Council. The Committee is comprised of the President or their designee and up to five (5) Executive Council members/members at large.

c. **Scholarship Committee:** The Scholarship Committee will be responsible for all aspects regarding the New Hampshire AFL-CIO Scholarship Program. The Committee is comprised of the President or their designee and up to five (5) Executive Council members/members at large.

d. Finance Committee: The Finance Committee shall be responsible to oversee all financial aspects of the New Hampshire AFL-CIO. The Committee shall update the Executive Council at every scheduled meeting. The Committee shall be comprised of the President or their designee and up to five (5) Executive Council members and the Secretary-Treasurer. The Committee shall meet at least quarterly or more often as needed. The Finance Committee is responsible to recommend to the Executive Council the annual salary and benefits of the New Hampshire AFL-CIO officers per this Constitution.

e. Contract Negotiating Committee: The Negotiating Committee is responsible to negotiate the collective bargaining agreement with the employees of the New Hampshire AFL-CIO. The Committee shall be comprised of five (5) Executive Council members, one of which must be a member of the Finance Committee.

f. Ethical Practices Committee: The Ethical Practices Committee shall be comprised of at least three members of the Executive Board, serving on a rotating basis, and the President or Treasurer, both officers may not serve at the same time. The Committee 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 New Hampshire AFL-CIO.

g. COPE Committee: The COPE Committee is responsible for all aspects of the NH AFL-CIO's COPE Fund. The COPE Committee shall be comprised of the President and up to three members of the Executive Council.

ARTICLE XVII.

Political Endorsements

No candidate for political office may seek the New Hampshire AFL-CIO endorsement without completing the applicable process as determined by the Executive Council. To receive the endorsement of the New Hampshire AFL-CIO, a candidate must be recommended by the Legislative Committee and receive a two-thirds (2/3) majority vote of the Executive Council or delegates of the Legislative Conference.

ARTICLE XVIII.

Chapters

Chapters of the New Hampshire AFL-CIO may be created if the New Hampshire AFL-CIO determines an organizational presence is needed in a specific geographic area within its jurisdiction. Chapters shall have no right of representation or involvement in the affairs of the New Hampshire AFL-CIO. Chapters may be authorized to enact bylaws consistent with the New Hampshire AFL-CIO constitution; elect a chapter president and secretary-treasurer, hold meetings of delegates from local unions within the chapter's geographic jurisdiction and make recommendations to the state labor council, the area labor council or the central labor council for its consideration. Chapters may not assess a per capita or membership fee. In accordance with

the endorsement procedure for the New Hampshire AFL-CIO, the chapter may endorse candidates running for local public office within the chapter's geographic jurisdiction and may screen, interview and recommend to the area labor council or central labor council candidates for state and federal legislative office but such recommendation is not binding on the New Hampshire AFL-CIO

ARTICLE XIX.

Rules of Order

The Convention of the New Hampshire A.F.L.-C.I.O. shall be governed by Roberts Rules of Order.

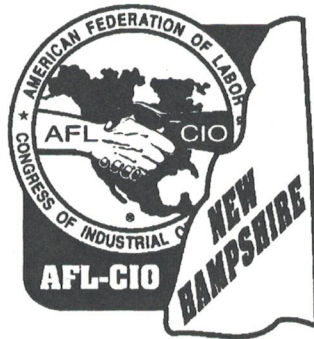
ARTICLE XX.

Collective Bargaining, Strikes and Boycotts

Section 1. The New Hampshire AFL-CIO shall not take part in any collective bargaining activities or in any dispute, including strikes, except upon the request or consent of the aggrieved union or organizing committee or in the case of a local union directly affiliated to the AFL-CIO, except upon the request or consent of the AFL-CIO President. The AFL-CIO shall be given notice of any request for local and regional boycotts, notice that such request has been granted, and notice that the boycott has been terminated.

Section 2. The New Hampshire AFL-CIO does not have the power or authority to originate a boycott or to initiate action to place an employer on and "unfair" or "do not patronize" list. All such action shall be taken only on written request of the aggrieved union or in response to an action of the AFL-CIO. When such action is requested by an aggrieved union, the New Hampshire AFL-CIO shall be governed by appropriate procedures of Rule 21 of the Rules Governing AFL-CIO State Central Bodies.

CONSTITUTION
AND
BY-LAWS
OF THE
NEW HAMPSHIRE AFL-CIO



As Amended and Approved at the 57th Constitution Convention May 2 & 3, 2015