



**CONSTITUTION OF THE
CENTRAL COAST LABOR COUNCIL
OF SAN LUIS OBISPO, SANTA BARBARA,
AND VENTURA COUNTIES**

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PREAMBLE

The establishment of the Central Coast Labor Council 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 these communities 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 interest 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 to which they are justly entitled; to the achievement of ever higher standards of living and working conditions; to the attainment of security for all the people; to the enjoyment of the leisure which their skills make possible; and to the strengthening and extension of our way of life and the fundamental freedoms which are the basis of our democratic society.

We shall combat resolutely the forces which seek to undermine the democratic institutions of our nations 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 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 AND AFFILIATION

This organization shall be known as The Central Coast Labor Council of San Luis Obispo, Santa Barbara, and Ventura Counties, AFL-CIO, is hereinafter referred to as the Central Body or Labor Council. 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. As a chartered organization of the AFL-CIO, this Central Body shall conform its activities on state matters to the policies of the State Central Body, AFL-CIO; and, on national affairs, to the policies of the AFL-CIO. The jurisdiction of this Labor Council shall lie within the boundaries of the Counties of San Luis Obispo, Santa Barbara, and Ventura.

ARTICLE II: PURPOSE

The purpose of this Central Body shall be to promote, through appropriate activities in the geographical area covered by the Charter of this Central Body, the principles of the American Federation of Labor and Congress of Industrial Organizations, to:

- (a) 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);
- (b) To serve as a means of exchanging information among affiliated bodies on matters of common interest;
- (c) To provide aid, cooperation and assistance to affiliated local unions and other affiliated bodies in their common and individual endeavors;
- (d) To propose, support and promote legislation favorable to and to oppose legislation detrimental to the interest of workers and organized Labor;
- (e) 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; and,
- (f) To engage in such other activities as are consistent with the objects and principles set forth in this Constitution and the Constitution and policies of the AFL-CIO.

ARTICLE III: COMPOSITION AND DELEGATES

Section 1. This Central Body shall be composed exclusively of the following organizations within the geographical limits of San Luis Obispo, Santa Barbara and Ventura Counties covered by the Central Body's Charter 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 and Local Unions chartered directly by the AFL-CIO;
- (b) Local Unions with Solidarity Charters authorized by the Executive Council of the AFL-CIO, for so long as it remains in effect.
- (c) Local Councils chartered by the Trade and Industrial Departments of the AFL-CIO;
- (d) Joint Boards, District Councils and similar subordinate organizations, which are duly chartered by an affiliate of the AFL CIO.
- (e) Constituency groups that are approved and recognized by the AFL-CIO, including the Alliance for Retired Americans.
- (f) A union retiree club/chapter. Where two or more retiree clubs/chapters exist, affiliation shall be through a Union Retiree Council.

Section 2. Affiliated Local Unions in good standing (that is, not more than two (2) months in arrears, unless exonerated as hereinafter provided) shall be entitled to representation based on per capita tax paid according to the following schedule:

| | |
|---------------------|-------------|
| 50 members or less: | 2 delegates |
| 51-100 members | 3 delegates |
| 101-200 members | 4 delegates |
| 201-400 members | 5 delegates |
| 401-700 members | 6 delegates |
| 701-1100 members | 7 delegates |
| 1101-1600 members | 8 delegates |

Delegate apportionment shall continue at a rate of one additional delegate for each additional 500 members affiliated above 1101.

The number of delegates that a local union is entitled to must be calculated every six (6) months.

Section 3.

- (a) Affiliated subordinate bodies other than local unions as defined in Section 1c to 1e shall be entitled to one (1) delegate and one vote each.
- (b) A union retiree club, if only one (1) exists, shall be entitled to one (1)

delegate and one (1) vote. A union retiree council shall be entitled to three (3) delegates with one vote per delegate.

- (c) No AFL-CIO constituency group, or its delegate may be present for or have voice or vote in any meeting proceeding concerning the endorsement of a political candidate or other partisan political activity concerning public elective office by this Labor Council, nor may any AFL-CIO constituency group, or its delegates, be present for or have voice or vote in any meeting or decision of this Labor Council's Committee on Political Education (COPE).
- (d) Alliance for Retired Americans delegates may not be present for or have voice or vote in any meeting or proceeding concerning the endorsement of a political candidate or other partisan political activity concerning public elective office by the Labor Council, nor may any Alliance for Retired Americans, or its delegate, be present for or have voice or vote in any meeting or decision of this Labor Council's Committee on Political Education (COPE)

Section 4. No person shall be eligible to serve as a delegate unless they are a member in good-standing of a local union affiliated with this Labor Council, with the exception of international union representatives and similar persons who represent an affiliated local union. Delegates shall only represent the local union in which the delegate is a member in good standing unless the delegate was selected to represent local bodies chartered by the trade and industrial departments of the AFL-CIO, or state or local chapters of AFL-CIO constituency groups within the geographical limits of the Labor Council that are chartered by a national AFL-CIO constituency group.

Section 5. No delegate shall be seated except upon presentation of a proper credential from an affiliated organization in good standing.

Section 6. Upon acceptance of a delegate's credential, the presiding officer shall administer the following obligation: "I, (name of delegate) , do solemnly pledge my honor that I will obey the rules and regulations of this Central Body and, to the best of my ability, perform all the duties I may be called on to discharge as a delegate thereto. I also pledge that I will patronize only union labels, shop cards, and service buttons when they are available and that I will qualify myself to vote in all local, state and federal elections, if eligible to do so. I pledge to abide by the ethical practices code of the AFL-CIO and the anti-discrimination and anti-harassment policy and code of conduct of this council."

Section 7. Absence from three (3) consecutive meetings of the Central Body without an acceptable excuse shall be sufficient grounds for declaring a delegate's seat vacant, following which the Secretary-Treasurer shall in writing notify the delegate's organization of the absences and request that a new delegate be seated.

Section 8. The Council will undertake all reasonable efforts to ensure diversity of representation at every level.

ARTICLE IV: VOTING

Section 1. Except on roll call votes, each delegate shall be entitled to one (1) vote. Voting shall be by voice or division of the house (show of hands or standing vote) unless a roll call vote is properly demanded by the required number of delegates as provided for in Section 2 of this Article. No delegate shall be permitted to cast the proxy of another delegate and no delegate shall be allowed to represent more than one (1) organization.

Section 2. A roll call vote shall be held on any pending question, including election of officers, upon demand of thirty per cent (30%) or more of the delegates present.

Section 3. On roll call votes each local union shall be entitled to a number of votes equal to the average membership of the local union as determined according to the provisions of Section 4 of this Article.

Section 4. The average membership of a local union shall be determined on the basis of per capita tax payments to the Central Body for the first twelve of the immediately preceding thirteen months. The average membership of a local union affiliated for less than this twelve month period shall be computed from the month of affiliation, and shall be determined by dividing the total per capita tax paid for all months affiliated by twelve.

Section 5. The votes of a local union shall be divided equally among all its accredited delegates present and each delegate shall be entitled to cast only his/her assigned number of votes, except that to facilitate the calling of the roll one delegate may be designated to cast all of the votes of the delegates representing the local union, provided that if any delegate shall challenge the correctness of the votes so cast the individual delegates of the local union shall be polled.

Section 6. The Secretary-Treasurer shall maintain, on a current basis, the official roll of delegates, showing the average membership of each local union as established under the provisions of Article IV, Section 4.

ARTICLE V: MEETINGS

Section 1. Regular monthly meetings of the Central Body shall be held on the first Wednesday of every month or at such time and date that is predetermined. Due notice of time and place shall be given to all affiliated organizations and/or delegates. All Central Body meetings shall adjourn two hours from time of convening, unless the time is shortened or extended by a majority vote, but no adjournment shall take place while a vote is being taken.

Section 2. Special meetings for consideration of specified matters shall be held when ordered by a regular meeting of the Central Body or by vote of the Executive Board. Written notice of the special meeting shall be given to all affiliated organizations and/or to each delegate at least five (5) days in advance of the meeting. The matter, or matters, for consideration of the special meeting shall be stated in the notice, and no other business shall be transacted.

Section 3. It will be the policy of the Central Body to utilize state of the art technology whenever possible, available and appropriate, to assure that leaders and delegates have convenient access to fully participate in Central Body, Committee, COPE and Executive Board meetings. These steps will include, but are not limited to: teleconferencing,

webinars, Skype, email, and other communications tools. All Central Body meetings will be conducted in a way that assures that delegates can join the meeting remotely, with the understanding that weather, technology failure, and other circumstances that may impede or prevent reaching this goal for a given meeting.

Section 4. Fifty percent plus one (50%+1) of the size of the council's executive board representing no less than five local unions shall constitute a quorum for the transaction of business.

ARTICLE VI: OFFICERS AND ELECTIONS

Section 1. The Executive Officers of the Central Body shall consist of a President, Secretary-Treasurer, an Executive Vice President, and a Recording Secretary.

Section 2. The Executive Board shall be composed of the Executive Officers listed in Article VI, Section 1 as well as the following:

- (a) Three (3) At-Large County Chairs. One County Chair shall be elected at-large for each of the counties within the Labor Council's jurisdiction.
- (b) Five (5) At-Large Vice Presidents from the affiliates that comprise the ten local unions with the highest number of members affiliated with the Labor Council
- (c) Four (4) At-Large Vice Presidents from the affiliates that do not comprise the ten local unions with the highest number of members affiliated with the Labor Council
- (d) Four (4) At-Large Vice Presidents
- (e) One (1) representative from a chartered AFL-CIO Constituency Group affiliated with the Labor Council who shall be elected by the Executive Boards of the Constituency Groups within the jurisdiction of the Labor Council. The AFL-CIO Constituency Group representative will represent all constituency groups and must be a member in good standing of a local union affiliated with the Labor Council.

Section 3. Three Vice Presidents shall serve the dual role of Trustee. The Executive Board shall elect the trustees from among the Vice Presidents, except that the Executive Vice President shall not be eligible. No more than one (1) Trustee shall be from any one International Union.

Section 4. One Vice President shall serve the dual role of Sergeant-At-Arms. The Executive Board shall elect the Sergeant-At-Arms from among the Vice Presidents except that the Executive Vice President shall not be eligible.

Section 5. No person 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 this Central Body who consistently pursues policies and activities directed toward the achievement of the program or the purposes of authoritarianism, totalitarianism, terrorism and other forces

that suppress individual liberties and freedom of association or other totalitarian movement. No person shall be eligible to serve in any of the aforementioned capacities who holds 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 from, unaffiliated with, or disaffiliated from the AFL-CIO.

Section 6. In accordance with the AFL-CIO Ethical Practices Code, no person who is convicted of any felony involving the infliction of grievous bodily injury, any crime of dishonesty or any crime involving abuse or misuse of such person's position or employment in a labor organization or an employee benefit fund shall serve as an officer or managerial employee of the Labor Council.

Section 7. Each officer, at the time of their election, shall be a delegate to the Central Body and they shall, at all times during their term of office, be a member in good standing of a local union affiliated with the Labor Council and a duly accredited delegate from an affiliated organization.

Section 8. The term of office shall be two (2) years and each officer shall hold office until their successor has been elected and installed.

Section 9. Not more than one (1) delegate from the same local union, nor more than two (2) delegates from the same National or International Union shall be eligible to hold office at the same time, in the cases of the President, Secretary-Treasurer, Executive Vice President and Recording Secretary except that this latter restriction may be waived by a two-thirds vote.

Section 10. Not more than one (1) delegate from the same local union shall be eligible to hold the office of Vice President at the same time.

Section 11. Restrictions pertaining to affiliate eligibility for the office of Vice President may be waived by a two-thirds vote.

Section 12. No less than 45 nor more than 120 days prior to an election of Labor Council officers, the Recording Secretary shall compile and notify each affiliate organization of the availability of a list containing the following information: (i) the name and address of each of the elected Labor Council's officers (including Executive Board members); (ii) the name and mailing address of each of the organizations affiliated with the Labor Council; (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 election; and, (v) to the extent available, the names and mailing addresses of the delegates. Officers of organizations affiliated with the local central body shall also be entitled to inspect at the place where the records are kept and make their own notes concerning the most current underlying records relating to the information included in the list provided above.

Section 13. Nominations and Election for all officers shall be held at the Central Body meeting in April of even numbered years. Nominations may be reopened at any time prior to the election by a majority vote. The election shall not be postponed except for absence of a quorum or by order of the AFL-CIO or duly constituted public authority. A postponed election shall be held at the first succeeding regular meeting with due notice being given

to all affiliated organizations, or as may be directed by the AFL-CIO or by the public authority which ordered the postponement.

Section 14. Elections Committee

- (a) Prior to the meeting at which nominations take place, the president shall appoint, with approval of the delegate body, an election committee to oversee the election. No person seeking office shall serve on said committee.
- (b) The Election Committee shall be responsible for making election decisions in accordance with, and within the confines of, the AFL-CIO constitution, the Rules Governing Area and Central Labor Councils and the Labor Council's constitution. The Committee:
 - Will work with the Secretary-Treasurer to verify all affiliates' eligibility to participate in the election and cast ballots under the provisions of this constitution;
 - Will confirm that each nominated candidate is a member in good-standing of an affiliated local union in good-standing with the Labor Council, and that the candidate is an official credentialed delegate to the Labor Council;
 - Will serve as the first level of deciding authority on procedural issues;
 - Will confirm that each candidate accepts the nomination for office, either in person or in writing to the Election Committee;
 - Will confirm with the Credentials Committee and/or Secretary-Treasurer that each delegate is duly credentialed and eligible to cast ballots;
 - Cannot be overruled by the Executive Board during the election process, but their decisions and actions may be appealed to the board after the election, in accordance with this constitution;
 - Will cooperate with the national AFL-CIO in any review, investigation, or appeal of the election.
- (c) Immediately after the completion of the election, the Election Committee shall prepare a written, signed report showing the number of votes cast for each candidate. This report and all ballots and election materials shall be retained by the committee until any appeal period and any appeals have been exhausted, and then presented to the secretary, who shall preserve the materials for no less than six (6) months from the date of the election or the conclusion of all appeals, whichever is later. The Election Committee shall review election appeals in accordance with Article VI, Section 17.

Section 15. Installation of officers shall be held following the election, except that an officer-elect who is unavoidably absent shall be installed at the earliest possible meeting following the election, or they may be given the obligation at a meeting of the Executive Board. Old Officers shall remain in office until newly elected officers are installed.

Section 16.

- (a) The election may be by acclamation for any office for which there is only one nomination. Contested elections shall be held in accordance with Rule 9 of the *Rules Governing AFL-CIO Area Labor Councils and Central Labor Councils* and may be held by voice vote, division of the house, or by a roll call vote. It shall require a majority to elect. If ballots are used in a roll call vote, each ballot shall clearly show the local union, name of delegate and the number of votes being cast in the election.
- (b) In cases where there are more than two (2) candidates for a single office and none receives a majority on the first vote, all but the two receiving the greatest number of votes shall be eliminated and a second vote shall be taken.
- (c) In the event an election results in a violation of Section 10 of this Article, the person involved who is elected to the office with the highest rank shall be declared elected and another election shall be held for the other office or offices affected. For purposes of this subsection, the rank of the offices shall be determined by the order named in Section 2 of this Article.
- (d) Run-off elections under Subsection (b) or Subsection (c) or which are made necessary by a tie may be deferred until the next regular meeting by a majority vote of the Central Body.
- (e) With regard to the above Subsections (b), (c), (d), and if it becomes necessary, the previous office holder shall remain in office until the office is finally filled.

Section 17. A candidate for office and/or any delegate or principal officer of an affiliated organization may protest the election of any elected position of the Labor Council. Such protest must:

- Be filed with the Election Committee;
 - Be in writing and signed by the protesting party;
 - Be filed within 30 days of the completion of the election report;
 - Contain any information that the filing party wishes the Election Committee to consider regarding the conduct of the election and any procedural requirements that are alleged to have been violated.
- (a) The Election Committee shall familiarize themselves with the issues raised in the protest, take into consideration any pertinent facts and procedural requirements, solicit information from interested parties, and review the conduct of the election for compliance with this constitution, the AFL-CIO constitution, and other applicable AFL-CIO rules and policies. Within thirty (30) days of their receipt of the protest, the Committee will deliver their report to the executive board and, at its next meeting, the executive board shall determine by majority vote whether the protest merits a hearing.

- (b) If a hearing is warranted, all parties to the dispute shall be given adequate notification of not less than thirty (30) days of the hearing date, along with a copy of the protest and a record of action taken by the Election Committee to date. Both the accused and the charging party shall be accorded full opportunity to be heard and to present evidence.
- (c) Following a hearing, the executive board, by a two-thirds (2/3) vote, may order appropriate remedies up to and including the rerun of the election.
- (d) The executive board shall notify all parties of its decision within thirty (30) days after the hearing. Said notification shall be sent by certified mail.
- (e) The decision of the executive board shall be reported to the next Delegate Body meeting and shall be final and binding unless appealed as hereinafter provided.
- (f) The decision of the executive board may be appealed to the Delegate Body by any delegate or principal officer of an affiliated organization. Notice of such appeal shall be filed in writing with the president (or acting president) or secretary (or acting secretary) within ten (10) days of the Executive Board's report to the Delegate Body. The appeal shall be heard expeditiously at a regular meeting of the Delegate Body, at which time the party appealing to the Delegate Body, each candidate in the challenged race(s), and the Executive Board, through its selected spokesperson, in that order, shall be allowed fifteen (15) minutes each to present statements of the case, following which the delegates shall have up to ten (10) minutes to ask questions of each of the parties. The delegates shall then vote on the question of sustaining the decision of the Executive Board. It shall require a majority vote to sustain the decision.
- (g) The decision of the delegate body may be appealed to the president of the AFL-CIO within thirty (30) days of receipt of notification. The decision of the delegate body shall remain in effect during the appeal unless reversed, modified or temporarily stayed by the president of the AFL-CIO.
- (h) No organization or individual subject to this Constitution shall resort to any court until redress to the AFL-CIO has been exhausted.

Section 18. In the event of a vacancy in any office, the position shall be filled by a special election, with nominations at the next meeting following the vacancy and the election at the succeeding meeting.

Section 19. Before entering upon their duties each officer elect shall assume the following obligation: "I (state your name) do hereby promise to faithfully perform all the duties of the office to which I have been elected to the best of my ability; and to uphold the Constitution of this Central Body and of the AFL-CIO Constitution. I further promise to deliver all property in my possession belonging to this Central Body to my successor in office; and, to surrender such property to the President of the AFL-CIO upon his/her official demand I pledge to abide by the ethical practices code of the AFL-CIO and the

anti-discrimination and anti- harassment policy and code of conduct of this council.”

ARTICLE VII: DUTIES OF OFFICERS

Section 1. The President shall be the presiding officer of all meetings of the Central Body and of the Executive Board. The President shall be considered the Executive Officer of the Central Body and shall exercise general supervision over the affairs and activities of the Central Body and also shall perform such other duties as usually pertain to the office and as may be ordered by the Central Body or the Executive Board. As such, the President shall attend all meetings of the Executive Board and Central Body, or when not possible, may designate in their order and availability to represent this office the Secretary-Treasurer, Executive Vice President, or Recording Secretary. The President shall be an ex-officio member of all committees. The President shall counter-sign all orders for the payment of funds of the Central Body, and shall have power to interpret this Constitution, subject to ratification of the Executive Board and/or of the Central Body. The President shall be an ex-officio member of all committees and may appoint as many Sergeants-At-Arms as necessary to assist in maintaining order and in the conduct of meetings of the Central Body.

Section 2. The Secretary-Treasurer shall be the custodian of the records of the Central Body and shall maintain a correct record of the proceedings of all meetings of the Central Body and of the Executive Board Meetings. The Secretary-Treasurer, shall countersign all orders (vouchers) on the treasury authorized by the Central Body, maintain a current list of credentialed delegates, maintain a current list of affiliated unions and their voting strength, and compile the Central Body “lists” as required by *Rule 24 of the Rules Governing AFL-CIO Area Labor Councils and Central Labor Councils*. S/he may enlist the assistance of the Executive Director in the fulfillment of these duties. S/he shall read all documents and conduct the general correspondence of the Central Body, which does not pertain directly to the duties of the other officers of the Central Body, or that have been properly delegated to the Executive Director and keep on file for future reference. The Secretary-Treasurer shall receive and disburse all funds of the Central Body upon proper authorization and issue official receipts accordingly. The Secretary Treasurer shall maintain adequate financial records showing the standing of all affiliated organizations and the source and disposition of all funds in his/her care. The Secretary-Treasurer shall 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 and as may be required by the Secretary- Treasurer of the AFL-CIO under the Rules Governing AFL-CIO Area Labor Councils and Central Labor Councils. The Secretary-Treasurer shall submit to the Central Body a monthly financial statement of all funds showing the accounts in such detail as the Executive Board or the Central Body may require and shall submit the books for audit on request of the Executive Board, but at least annually. Per *Rules Governing AFL-CIO Area Labor Councils and Central Labor Councils*, as a Central Body with annual receipts of \$200,000 or more, this Labor Council will engage an independent, outside CPA to conduct agreed upon procedures annually, and submit financial statements semiannually (six months after the annual report is due). The CPA’s report will need to be submitted to the AFL-CIO by May 15th of the following year. The President of the AFL-CIO or Secretary-Treasurer of the AFL-CIO may require that records be kept in such form and for such duration as they may require, and that the Labor Council’s books and records, including those of related Section 501 (c)(3) and (4) organizations, be produced upon

their demand.

Section 3. The Executive Vice President shall assist the President in the discharge of her/his duties and shall attend all sessions of the Central Body. In case of the absence or incapacity of the President, the Executive Vice President shall perform the President's duties. S/He shall be the Program Director of the Legislative Committee and the Committee on Political Education (COPE). In the absence of the President or Secretary-Treasurer, the Executive Vice President shall co-sign checks and/or countersign authorized orders (vouchers) on the Labor Council's treasury.

Section 4. The Recording Secretary shall keep minutes of all Central Body and Executive Board meetings. Minutes shall accurately record the motions made at meetings and shall include the name of the members making and seconding a motion, whether the motion was adopted or rejected, and the results of any roll call votes. Minutes shall specifically include all financial transactions, committee assignments, or officer appointments approved at the meeting. In the absence of the Recording Secretary, the President shall appoint a member to act as Recording Secretary pro tempore who shall have the duties set forth above. Minutes of meetings shall be official records of the Central Body and Executive Board. In the absence of the President or Secretary-Treasurer, the Recording Secretary shall co-sign checks and/or countersign authorized orders (vouchers) on the Labor Council's treasury.

Section 5. The Trustees shall be the custodians of the physical properties of the Central Body and shall prepare and maintain an inventory of all such properties showing the date of purchase, the cost and estimated current value. The Trustees shall, quarterly, examine the financial books and records of the Secretary- Treasurer and report their findings to the Central Body at the next regular meeting following the completed examination. In addition, the Trustees shall annually audit or cause to be audited by a Certified Public Accountant selected by the Executive Board, the financial records of the Secretary-Treasurer and promptly report the audit findings to the Executive Board and Central Body.

Section 6. The Sergeant-at-Arms shall take charge of the door, secure delegate signatures on the official roster of the Labor Council and notify the presiding officer when a quorum is present. S/He shall introduce all new delegates and visitors and assist the President, or presiding officer, in preserving order when called upon to do so. In addition, the Sergeant-at-Arms shall take charge of all property of the Labor Council not otherwise provided for and perform such other duties as may be assigned to her/him from time to time.

Section 7. All Officers and managerial employees of this Central Body 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.

ARTICLE VIII: DUTIES OF THE EXECUTIVE BOARD

Section 1. The Central Body Executive Board shall be composed of all officers enumerated in Article VI, Section 1 and Section 2.

Section 2. The Executive Board shall be the governing body of the Central Body between meetings. 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 Central Body and as may be necessary and appropriate to safeguard and promote the best interest of the Central Body and its affiliated unions.

Section 3. The Executive Board shall meet regularly on a nominal six-week schedule at such time and place as it may determine, and it shall meet on-call of the President when a special meeting is necessary.

Section 4. The Executive Board shall have the power to make a temporary appointment to any office not otherwise provided for in this Constitution for the period of a temporary disability or, in case of a permanent vacancy, until a special election has been held to fill the permanent vacancy.

Section 5. A quorum for transaction of the business of the Executive Board shall be 50% +1 representing four (4) different Local or International Unions.

Section 6. The President, Secretary-Treasurer, Executive Vice President and Recording Secretary shall constitute themselves as an Officer's Committee for the purpose of providing guidance to the Executive Board, the Central Body, and all constituent groups and committees within the Central Body, to make emergency decisions and actions as may become necessary, subject to approval and ratification as soon as possible by the appropriate groups within, or by, the Central Body itself and to otherwise provide overall leadership to the Central Body. They shall meet or otherwise confer with each other upon call of any one of them, through the President, except when the President is not available for unavoidable reasons.

ARTICLE IX: CHARGES AND HEARINGS

Section 1. Any affiliated organization by vote of its membership, or any officer, Board member or delegate to the Central Body shall have the right to file charges (a) against any delegate to the Central Body for having engaged in conduct or a course of activity hostile or contrary to the best interests of the Central Body or contrary to its Constitution; or (b) against any officer of the Central Body for violating the Constitution or Rules of the AFLCIO or the Constitution of this Central Body, or for conduct unbecoming an officer or board member, misappropriation of funds, malfeasance in office or neglect of duty; or (c) against any organization affiliated with the Central Body for having engaged in conduct or a course of activity hostile or contrary to the best interests of the Central Body or contrary to this Constitution.

Section 2. All charges shall be in writing, specifying the particular act or acts charged; shall be signed by the charging party or by its officers, if an affiliated organization; and, shall be filed with the President or the Secretary-Treasurer of the Central Body, or with any other officer of the Central Body, if both the President and the Secretary-Treasurer are charged.

Section 3. Upon receipt of the charges properly filed, the officer receiving the charges shall present them to the Executive Board at its next meeting, and the Executive Board shall determine by majority vote whether or not the charges merit a hearing.

Section 4. The Executive Board may take appropriate action, including the suspension or expulsion, or any delegate or affiliated organization, and the suspension or removal of any officer found guilty of the 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 of the hearing. Both the accused and the charging party shall be accorded full opportunity to be heard and to present evidence.

Section 5. The decision of the Executive Board under Section 3 or Section 4 shall be final and binding unless appealed as hereinafter provided.

Section 6. The decision of the Executive Board may be appealed to the Central Body by either party. Notice of such appeal shall be filed in writing with the President or the Secretary-Treasurer within ten (10) days of the Executive Board's report to the Central Body. The appeal shall be heard expeditiously and at a regular meeting of the Central Body, at which time the charging party, the defendant, and the Executive Board, through its selected spokesman, in that order, shall be allowed ten minutes each to present statements of the case, following which the delegates shall vote on the question of sustaining the decision of the Executive Board. It shall require a majority vote to sustain the decision.

Section 7. The final decision of the Central Body may be appealed to the AFL-CIO as provided in the Rules Governing AFL-CIO Area Labor Councils and Central Labor Councils. The decision of the Central Body shall remain in effect during appeal unless reversed, modified, or temporarily stayed by the AFL-CIO.

Section 8. No organization or individual subject to this Constitution shall resort to any court until redress to the AFL-CIO has been exhausted.

ARTICLE X: PER CAPITA TAXES AND FEES

Section 1. Affiliated local unions shall pay a monthly per capita tax of seventy-five cents (\$0.75) on all its members regularly employed within the jurisdiction of this Central Body. 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. Per capita tax in each case 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 union shall be deemed in arrears.

Section 2. Other affiliated organizations (as defined in Article III, Section 1) shall pay an annual fee of \$60.00. Any such organization 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 and, if not paid by the first of the succeeding month after it is due, the organization shall be deemed in arrears.

Section 3. A local union or other organization which becomes two (2) months in arrears shall be so notified in writing by the Secretary-Treasurer and, if it becomes three (3) months in arrears shall not be considered in good standing and shall not be entitled to voice or vote in meetings of this Central Body. It shall be so notified in writing by the

Secretary-Treasurer.

Section 4. A local union or other organization which becomes four (4) months in arrears shall stand suspended from membership and shall be notified in writing by the Secretary-Treasurer.

Section 5. A local union or other 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 or annual fee. However, the average membership of a reinstated local union for purposes of roll call voting shall be computed from the date of reinstatement as if it were a newly affiliated local union. A Union that has been suspended for nonpayment of per capita tax may pay only the amounts in arrears at the time of suspension, but cannot pay for additional months to increase voting strength.

Section 6. A local union paying per capita tax on less than its full, dues-paying membership shall be subject to suspension by the Executive Board under the procedures of Article IX of this Constitution. 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 or refuse to produce such proof on request, the Executive Board may base its determination on such evidence as may be available.

Section 7. The Executive Board may exonerate any local union from payment of per capita tax for any month that in the opinion of the Executive Board good cause exists, subject to ratification by the Central Body. Exonerated members shall be regarded, for purposes of this constitution, as paid up members for the period of exoneration, but the delegates representing such locals shall not vote on the question of exoneration.

ARTICLE XI: FINANCIAL PRACTICES AND AUDITS

Section 1. All funds of this Central Body shall be placed on deposit in a national bank or other 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 the Secretary-Treasurer. Alternate signatories for the President may be either of the Vice Presidents, if the President is unavailable for good and sufficient cause. No funds shall be expended unless authorized by the Central Body (or the Executive Board in case of emergency) and the expenditure is properly supported by a voucher showing the particular purpose of the expenditure and the source of the authority for making such expenditure. All invoices, receipts and other supporting documents shall be attached to the voucher, which shall be signed by the Secretary- Treasurer and counter-signed by the President, Executive Vice President or Recording Secretary.

Section 2. The accounts and financial records of the Central Body, including all committees and subordinate agencies of the Central Body, shall be audited annually, in accordance with the AFL-CIO's Agreed Upon Procedures, by a Certified Public Accountant selected by the Executive Board and shall cover the full calendar year. These audits shall be submitted to the Central Body and a copy sent to the AFL-CIO. The Executive Board may require more frequent audits or examination of the accounts and financial records of the Secretary-Treasurer in its discretion.

Section 3. The Executive Director shall receive compensation for the faithful performance

of his/her constitutional responsibilities as determined by the Executive Board.

Section 4. Officers, delegates and other authorized persons shall be reimbursed for necessary legitimate expenses, including actual loss of salary, which may be incurred in the performance of authorized activities for the Central Body. An itemized accounting of such expenses shall be submitted to the Executive Board.

Section 5. All officers and agents of this Central Body having a financial responsibility shall be covered by a fidelity bond in an amount to be determined by the Executive Board, or equal to no less than ten percent (10%) of the Central Body's liquid assets plus its revenue in the prior fiscal year. Should the amount of this bond exceed the amount of the bond regularly furnished without cost by the AFL-CIO, the Central Body shall pay the additional cost of such bond.

Section 6. The Labor 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 Labor Council's credit card for personal use is prohibited. The use of debit cards is prohibited. The Fiscal Year of the Council shall begin on the first day of January of each year and end on the last day of December.

ARTICLE XII: COMMITTEES

Section 1. The following standing committees shall be appointed by the President with the advice and consent of the Executive Board: Staffing Committee, Committee on Political Education (COPE) and the Ethical Practices Committee.

Section 2. The President, with Executive Board approval, may create such other committees, as necessary or advisable, to pursue the objectives of the Labor Council and to develop and implement policies of the Labor Council. Committees shall be composed of Executive Board members, Central Body delegates and such other members from affiliated and/or ally organizations as the President appoints.

Section 3. Committee members, with the exception of the Committee on Political Education (COPE), shall be appointed by the President, subject to the approval of the Executive Board. The President shall appoint duly appointed and accredited delegates to the Labor Council's COPE Committee.

Section 4. Committee chairs and members shall make regular reports to the Executive Board and delegate body. Committees that fail to function shall be dismissed and reconstituted.

Section 5. Duties of standing committees shall be as follows:

- (a) Staffing Committee. The President will appoint, with the concurrence of the Executive Board, a Staffing Committee. The President will appoint, with Executive Board concurrence, an odd-numbered committee that represents the diversity of our movement, and that includes:

- President
- Secretary-Treasurer
- Executive Vice President
- 2 Officers from the Unions with the 5 highest numbers of affiliated members
- 2 Officers from Unions with less affiliated members than the 5 highest
- Executive Director (for positions other than the Executive Director)

The Committee shall have responsibility to develop staff policies on pay, benefits, expenses, recognition, evaluation, discipline, and other appropriate practices for review and adoption by the Executive Board. All post-hiring personnel actions will be referred to the Committee for their recommendation for Executive Board action. All personnel actions shall be written.

The Staffing Committee shall adopt a standard application process, including an application form, uniform interview questions for each vacancy, and other requirements as needed.

(b) Committee on Political Education. The central body COPE Committee shall be composed of the officers and other members of the executive board of the central body, the central body COPE director, if there is one, and such other members as may be prescribed by appropriate bylaws duly adopted pursuant to "AFL-CIO Rule Governing Committees on Political Education". It shall not be a delegate body, but shall function as a committee. Additional members may be added to the Committee by properly approved By-Laws. The President and Secretary-Treasurer of the Board shall be the President and Secretary-Treasurer respectively of the Committee on Political Education. The Central Body's Committee on Political Education shall have power to formulate By-Laws to govern COPE which shall be consistent with the policies of National COPE. Such By-Laws shall be subject to ratification by the Central Body.

(i) A Committee on Political Education (COPE) Subcommittee shall be convened in each county within the Labor Council's jurisdiction. The County Chair shall serve as the Subcommittee Chair for their County's COPE Subcommittee. Whenever possible the County Chair should be a delegate of an affiliated union that represents members within its jurisdiction. Each county COPE Subcommittee shall be comprised of the Officers, Executive Board and Central Body delegates designated by the President. It shall not be a delegate body, but shall function as a committee.

(ii) When screening candidates to be considered for endorsement recommendations to the State Central Body for state and federal races, the COPE Committee shall be convened not the COPE

Subcommittees.

- (iii) Upon their appointment, every delegate to the Labor Council is encouraged to seek appointment to each COPE Subcommittee in each jurisdiction their union represents members. Delegates may seek appointment to COPE Subcommittees at any time through an appointment by the President.
 - (iv) Both the COPE Committee and its County Subcommittees shall comply with the Rules Governing Committees on Political Education and, in so doing, shall be responsible for developing and executing Labor Council programs of sound political education aimed at encouraging union members and their families to exercise their full rights and responsibilities as citizens and to take their rightful place in the political life in the Labor Council's local communities, the State of California and the United States.
 - (v) These educational programs shall include, but not limited to, the following activities: registration and get-out-the vote (GOTV), recruitment of qualified union members as candidates for public office, screening of candidates for public office (including, linking "the right to organize" to labor endorsements), educating members and their families on issues pertaining to their economic and social wellbeing and candidate's positions relevant to those issues. Each COPE Subcommittee shall meet at least twice per year, and more as necessary, with a special emphasis on convenings for the purpose of screening candidates for local elected offices.
- (c) The Ethical Practices Committee (EPC) shall be comprised of at least three members of the Executive Board, serving on a rotating basis, and the Labor Council President or Treasurer, both officers may not serve at the same time. The EPC 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 Labor Council.

ARTICLE XIII: LEGISLATIVE AND POLITICAL ACTION

Section 1. The legislative activities of the Central Body shall be under the direction of the President in consultation with the Secretary-Treasurer, Executive Vice President and Recording Secretary. These activities shall conform to the policies of the State AFL-CIO on state matters and to the policies of the National AFL-CIO on national affairs, and to the policies adopted by the Central Body and the decisions of the Executive Board on local matters.

Section 2. The political activities of the Central Body shall be under the direction of the Central Body's Committee on Political Education, which is hereby constituted as the political arm of this Central Body. The Central Body's Committee on Political Education

shall operate in conformity with the policies of the AFL-CIO and of the National and State COPEs.

Section 3. The Executive Board shall determine the percentage of all per capita tax received to be allocated and transferred monthly to the PAC account, as determined to meet the needs of the legislative activity.

ARTICLE XIV: RULES, PARLIAMENTARY AUTHORITY AND AMENDMENTS

Section 1. The procedures to be followed by this Central Body with respect to Boycotts, Unfair Lists, Strikes, Collective Bargaining and Publications issued or endorsed by this Central Body shall be in accord with the AFL-CIO Rules Governing Local Central Bodies.

Section 2. In case of conflict between the provisions of this Constitution or other laws or actions of this Central Body and the Constitution of the AFL-CIO or the Rules Governing Local 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 initiate such amendment to this constitution or to change or modify the laws or actions of this Central Body as necessary to bring them into conformity with the Constitution and Rules of the AFL-CIO.

Section 3. The parliamentary rules contained in Roberts' Rules of Order, Revised, shall govern this Central Body in all cases to which they are applicable and in which they are not inconsistent with this Constitution, or such special rules of order as may be adopted by this Central body.

Section 4. This Constitution may be amended by any regular meeting of this Central Body by two-thirds of the votes cast, provided the proposed amendment shall have been submitted in writing to the Secretary-Treasurer at the preceding regular meeting and properly certified by an affiliated organization or by a delegate representing an affiliated organization. Amendments may also be proposed by the Executive Board. All proposed amendments shall be read in full at the meeting at which received and copies shall be made available on request to all delegates prior to final consideration. Council adopted amendment, subject to the quorum provisions of Article V, Section 4, shall require a two-thirds (2/3rds) vote of the delegates present and voting for approval. The amendment(s) upon adoption shall not become effective until two (2) copies of the Constitution and amendments have been submitted to the President of the AFL-CIO and s/he has issued a letter of approval to the Central Body. Proposed amendments may be submitted for preapproval to the President of the AFL-CIO.

ARTICLE XV: LISTS

All lists of affiliates or members of affiliates in possession of the Central Body shall be used exclusively in carrying out the authorized programs and work of the Board and shall

not be released to any person or organization for any other purpose unless such release has been duly authorized by the Board and the appropriate officers of the affiliate or affiliates involved.

ARTICLE XVI: LABOR COUNCIL STAFF & EXECUTIVE DIRECTOR

Section 1: The Executive Board shall be empowered to employ staff to carry out the programs and meet the goals of the Labor Council, subject to the requirements of this Article, and conditional upon the approval of the Executive board and Central Body.

Section 2: The Central Coast Labor Council, AFL-CIO is an equal opportunity employer. Our team is stronger with different perspectives and experiences. We value a diverse workplace and encourage women, people of color, LGBTQIA individuals, people with disabilities and others from minority groups and diverse backgrounds to apply for all staff vacancies. We do not discriminate on the basis of race, gender, religion, color, national origin, sexual orientation, age, marital status, veteran status, or disability status.

Section 3: The President will appoint, with the Concurrence of the Executive Board, a Staffing Committee in accordance with Article XII, Section 5(a).

Section 4: The Executive Board is empowered to enter into a collective bargaining agreement and/or individual staff contract covering any employee of the Labor Council. The Staffing Committee shall represent the Labor Council in the bargaining of any collective bargaining agreement and/or negotiation of any individual staff contract, after which it will be reviewed by the Executive Board and shall not be in force until approved.

Section 5:

- (a) The Executive Director shall be appointed by the Executive Board upon the advice and recommendation of the Staffing Committee. Any Executive Board member may attend the final interview process prior to the committee making their recommendation.
- (b) For positions other than the Executive Director, the Staffing committee and the Executive Director shall work together to develop and execute a hiring process.
- (c) All hiring processes shall conform to the requirements of this Article XVI, Sections 1 and 2, any other applicable section of these bylaws, and Rules Governing AFL-CIO Area Labor Councils and Central Labor Councils.

Section 6: Each staff member employed by the Labor Council has a high fiduciary duty and sacred trust to serve the best interest of the members honestly and faithfully, and is obligated to adhere to the same ethical practices and policies as are required of any officer under the AFL-CIO Rules Governing Labor Councils and such policies as adopted by the Delegate Body and/or Executive Board. Staff members will certify their understanding of this obligation upon hiring, and their ongoing compliance in accordance with the schedule

when officers and Executive Board members perform this certification. All staff are required to adhere to this Constitution, the policies of the Labor Council, and personnel practices adopted by the Executive Board. The Staffing Committee shall develop, for Executive Board approval, a position description for each staff position. The Committee shall also create comprehensive procedures for regular performance and conduct review of all staff, and fair procedures for disciplinary action where called for. These procedures will not apply to any staff who are already covered by such procedures in a collective bargaining agreement.

Section 7: No full-time staff member may serve as a delegate to the Labor Council.

Section 8: The Labor Council may employ a full-time Executive Director to manage and direct all Labor Council programs and campaigns and supervise and direct all Labor Council staff. The Executive Director shall be responsible for planning and carrying out the work of the Labor Council in consultation with, and as directed by, the Officers and executive Board. This shall include developing and maintaining a strategic plan to ensure that the work of the Labor Council is coordinated and integrated with the programs and priorities of other state, area, and local central bodies as well as the AFL-CIO and affiliated national and international unions. The Executive Director shall provide regular reports and updates to the Secretary-Treasurer and to the Executive Board.

Section 9. In conjunction with the Secretary-Treasurer, The Executive Director shall be responsible for overseeing the finances of the Labor Council and accounting for all expenditures and receipts. The Executive Director shall provide a financial report including a written financial statement at every quarterly Executive Board meeting and annual convention and upon request by the Secretary-Treasurer.

Section 10. The Executive Director shall maintain membership in an affiliated organization in good standing with the Labor Council. The Executive Director shall be entitled to voice at all Labor Council activities, meetings, and deliberations.

Section 11. Salaries and benefits of the Executive Director shall be determined by the Executive Board. Prior to this determination, the Staffing Committee or their designees shall meet and confer with the Executive Director. The staffing committee shall then make a recommendation to the Executive Board for final approval

Section 12. In case of a vacancy in the office of the Executive Director, the Executive Board may appoint an Acting Executive Director to fulfill the duties of the Executive Director until the appointment of a new Executive Director.

Section 13. The Executive Director shall be appointed by the Executive Board upon the advice of the Staffing Committee. Any officer seeking the position of Executive Director shall not serve on the appointment committee.

Section 14. The Executive Director shall be designated as the automatic first Delegate and representative to any convention, caucus, or other event at which the Labor Council is

entitled to be represented. If the Executive Director is unable or unwilling to attend, the President, Secretary-Treasurer, Executive Vice President shall serve, in that order. If none of the previously mentioned officers are able or willing to attend, the Executive Board may designate an Executive Board member or Delegate to attend.

Section 15. The Executive Director, with appropriate guidance and authorization from the Executive Board, shall be authorized to sign all official documents, deeds, mortgages, bonds, contracts, or other instruments, all checks payments on bank accounts, and perform such other duties as this Constitution or Labor Council policy may require of them.

Section 16. The Executive Director in conjunction with the Secretary-Treasurer shall have the authority to disburse or order the disbursements of Labor Council funds necessary to pay the bills and obligations of the Labor Council, which have been properly incurred in accordance with this Constitution. The Executive Director shall have the authority to pay routine, budgeted expenses of the Labor Council including rent and utilities, maintenance of the meeting hall, and salaries and benefits of employees.

Section 17. The Executive Director shall see that all notices and reports are given in accordance with the provisions of this Constitution.

Section 18. The Executive Director shall have custody of the Labor Council's seal and the records of the proceedings of all meetings of the Labor Council and the Executive Board, as prepared by the Recording Secretary, or such person as is authorized to take such proceedings, and shall preserve all important documents including correspondence, contracts, and agreements. The Executive Director shall turn these documents over to their successor or to the Secretary-Treasurer upon leaving office.

Section 19. The Executive Director shall ensure that all officers are properly bonded in accordance with the Rules Governing AFL-CIO Area Labor Councils and Central Labor Councils.

Section 20: The Executive Director shall be an ex officio member of the Executive Board, with voice, but no vote. The Executive Director is required to attend and assist with all Executive Board, Delegate Body, and Special meetings of the Labor Council, and any committee meetings or other gatherings as determined appropriate by the President and/or Executive Board. The Executive Director will prepare and present a report on the operations and program activities of the Labor Council at Board and Delegate Body meetings, and provide details on the needs, opportunities, and potential obstacles facing the Labor Council.

APPENDIX A:

OBLIGATION OF DELEGATES & OFFICERS

ARTICLE III, SECTION 6
DELEGATES

"I, (state your name), do solemnly pledge my honor that I will obey the rules and regulations of this Council and, to the best of my ability, perform all the duties I may be called on to discharge as a delegate thereto. I also pledge that I will patronize only union labels, shop cards and service buttons when they are available and that I will qualify myself to vote in all local, state and federal elections, if eligible to do so. I pledge to abide by the ethical practices code of the AFL-CIO and the anti-discrimination and anti-harassment policy and code of conduct of this council."

ARTICLE VI, SECTION 19
OFFICERS

"I, (state your name) do hereby promise to faithfully perform all the duties of the office to which I have been elected to the best of my ability and to uphold the Constitution and Bylaws of this Council and of the AFL-CIO. I further promise to deliver all property in my possession belonging to this Council to my successor in office and to surrender such property to the President of the AFL-CIO upon official demand. I pledge to abide by the ethical practices code of the AFL-CIO and the anti-discrimination and anti-harassment policy and code of conduct of this council."