



BY LAWS

OF THE

Transport Workers Union of America, AFL-CIO LOCAL 252

REPRESENTING

FIRST STUDENT, INC. CENTER MORICHES TERMINAL

GUARDIAN BUS

SUFFOLK TRANSPORTATION SERVICE INC.

SUFFOLK BUS CORPORATION

NICE BUS OPERATED

BY TRANSDEV TRANSPORTATION SERVICES, INC.

NICE BUS PARATRANSIT SECTION OPERATED

BY TRANSDEV TRANSPORTATION SERVICES, INC.

MAY 22, 2016

BY-LAWS

LONG ISLAND LOCAL 252

Transport Workers Union of America, AFL-CIO

PREAMBLE

We believe it to be self-evident that we, the members of Local 252, can best improve our jobs, raise our rates of pay and increase our earnings, maintain fair working hours, enhance the dignity of our occupations and create firmer security for each member and their family by making our Local 252 a strong shield for our mutual protection and effective weapon in fighting for our general needs.

In order to be such an effective Union, it is necessary for Local 252 to be united, to be efficiently administered, to be guided by orderly processes, to be fully democratic and above all, to be subject to rule and decision by us, the membership.

We therefore dedicate ourselves to the proposition of doing the right thing at the right time in the interests of the membership by always proceeding on the basis of what is best for all members of Local 252 in the long run.

In our dealings among ourselves, let us follow the principles of brotherhood, one for all, all for one. In our relations with other workers, let us always be guided by the spirit of solidarity. When facing employers, let us always be vigorous in the defense of the workers' needs and rights.

ARTICLE I - NAME

This organization shall be known as Long Island Local 252, Transport Workers Union of America, and be referred to as Local 252.

ARTICLE II - MEMBERSHIP

- a) Any person eligible for membership in this Local shall file an application for membership in accordance with the TWU constitution.
- b) Any member employed by two companies represented by Local 252 shall be required to pay only the greater of the two union dues.
- c) Any member who accepts a non-represented position with the company they work for shall be required to continue paying their dues for a period of six (6) months. It is the member's responsibility to make their dues payments directly to the Union. In the event a member no longer wishes to remain in a non-represented position at the end of their six (6) month probationary period and has maintained their dues, he or she may return to their previous position with their seniority. A probation period will not exceed six (6) months.
- d) A new member shall attend the Branch meeting, at any location, immediately following acceptance and take the membership pledge.
- e) A member shall attend a minimum of fifty-percent of their Branch meetings per year to be eligible to run for office.
- f) Elected officials must attend a minimum of fifty (50%) percent of the meetings per year at any location, except in the event their work schedule or health issues prevents them from doing so.
- g) The official TWU button must be worn conspicuously during working hours.

ARTICLE III - MEETINGS

- a) Local membership meetings shall be held whenever deemed necessary by the Local Executive Board, but in no event less than five (5) times a year.
- b) The Local Executive Board shall meet at least once in every month at a time and place decided by it in advance. Special meetings of the Executive Board may be called by the President or by a majority of the Local Executive Board if the President fails to call a special meeting when requested.
- c) Except for an emergency meeting, due notice of at least five (5) days shall be given members for all meetings.
- d) A Quorum for a Local general membership meeting shall be a majority of the members present not including Local officers. A quorum for a section meeting will be a majority of the members present, not including Branch officers.
- e) Whenever there are two or more sessions of a Local or Branch meeting, or two or more Branch meetings act on the same matters or questions at separate times, the outcome of the voting on such matters shall not be announced until after the last session has voted.
- f) Any person, other than a member in good standing of Local 252, or an International officer who wishes to be present at any Local or Branch meeting, or whom members or officers wish to invite to a meeting, shall be permitted to be present only after being duly invited by the executive board.
- g) All members are encouraged and welcome to attend any meetings at any location.

ARTICLE IV BRANCHES OF LOCAL 252

- a) LOCAL 252 shall be divided into separate branches.
- b) Pursuant to Article XIV, Section 9 of the International Constitution, Branches will be defined by their Employer.
- c) The current branches of Local 252 are:
 - a. Suffolk Bus Corporation and Suffolk Transportation Service, Inc.
 - b. Transdev Transportation and Transdev Paratransit
 - c. First Student
 - d. Guardian Bus
 - e. Potential New Branches
- d) For every branch that does not send a member to serve on the Executive Board a "Branch Officer" will be appointed. The branch officer shall not serve on the Executive Board but will serve on the Joint Executive Committee.

ARTICLE V OFFICERS, STEWARDS, EXECUTIVE BOARD AND JOINT EXECUTIVE COMMITTEE

- a) Officers of Local 252 shall be as follows:
 - President
 - One Vice-President Transdev (Maintenance)
 - One Vice-President Transdev (Transportation)
 - One Vice-President Suffolk Transportation Services (School Bus Division)
 - One-Vice-President-Suffolk Bus Corp. (Transit, Maintenance and Paratransit)
 - One Vice-President First Student
 - One Vice-President Guardian Bus
 - Secretary-Treasurer
 - Recording-Secretary
 - One Vice-President for any new Branches

- b) The Local Executive Board shall consist of the Local Officers set forth in this Article V(a) above.
- c) The Joint Executive Committee shall consist of the Local Officers, the Local Executive Board, and Branch officers as outlined in Article XIV, Section 10 of the International Constitution.
- d) The duties of officers shall be as outlined in the International Constitution.
 - e) Unless otherwise decided by the Local Executive Board, the Local President shall be official spokesperson for the Local Union between meetings.
- f) Whenever any group of members is not adequately served by the number of officers in that branch, such members shall be entitled to elect additional shop steward or stewards, in a manner to be determined by the Local Executive Board.
- g) The Executive Board shall send an officer a letter of warning for dereliction of duties prior to action being taken against them.
- h) The Local Executive Board by a majority vote may suspend from duty an officer charged with dereliction of duty, or for any unfaithful act, or for any act detrimental to the interest of this Local, provided that within thirty days of such suspension the Local Executive Board shall institute proceedings against the suspended officer in accordance with Article XX.I of the International Constitution.
- i) The Executive Board shall transact all business of the Local when the membership is not in session; faithfully execute the orders of the membership; adopt measures to the interest of this Local; and recommend such actions to the Local as it may deem necessary. It shall receive and make recommendations in regard to reports of standing and special committee and officers.
- j) Executive Board members shall carry out such duties as may be assigned them by the Executive Board or the President.
- k) Should a President of the Local find that they are unable to perform the duties of their office by reasons of health, the Secretary Treasurer shall call an emergency meeting of the Executive Board within forty-eight (48) hours, whereupon they shall elect by secret ballot a Vice President of their choosing to perform the duties of the President, until such time as the President is able to return, but not to exceed a period of forty-five (45) days. In the event the President is unable to return after the forty-five (45) day period, the Vice-President in whose charge the affairs of the Local have been left, shall call an Executive Board meeting so that the Executive Board may elect a Vice President from the existing Board to replace the President for the remainder of his/her absence. In the event of a vacancy of the office of President, the vacancy shall be filled by the Executive Board in accord with Article XV(2) of the TWU Constitution.

ARTICLE VI - TWU CONSTITUTIONAL CONVENTION

- a) Pursuant to the Authority granted to the Local Union under Article XI, Section 11 of the International Constitution, in addition to the Local President, all Local Officers elected to serve as officers by secret ballot shall serve as delegates to the International convention ex-officio, provided that the Local is entitled by Article XI Section 2 to at least that number of delegates; in the event that it is entitled to fewer delegates than there are Local Officers, the President shall serve as an ex-officio delegate, and other delegates shall be selected from among the Local Officers in accord with and in the order of the number of vote they received at the prior election (an Officer who ran without opposition shall be deemed to have received all the votes of those eligible to vote in the election for the office that he/she occupies).
- b) In addition to the President of the Local serving as ex-officio delegate to Constitutional Convention as described in Section XVI, Section 1 of the TWU Constitution, all Local Officers will be ex-officio delegates to the Constitutional Convention, provided the Local is entitled to that many delegates. In the event that the Local is entitled to more delegates than there are Local Officers, the Local Executive Board shall choose whether to invoke the provisions of Article XI Section 2(b) so as to send fewer than its full quota of delegates to the International Convention; if the Local Executive Board chooses instead to send its full quota of delegates to the International Convention, or if it is otherwise required to do so, it shall fill the remaining delegates positions through a secret ballot election in accord with Article XI, Section 11 of the TWU Constitution. In the event more delegates are called for, then the members of the Executive Board shall also serve as ex-officio delegates to the Constitutional Convention.
- c) In the event the Executive Board deems it necessary, they may provide for the election of alternative delegates by conducting an election for the alternative delegate positions in accord with the TWU Constitution.

ARTICLE VII - ELECTIONS

- a) Election of Local and branch officers shall take place commencing with the election next following the adoption of these By-Laws on the first Friday in May by ballot box.
- b) An absentee ballot may be obtained through the Union office prior to the election and returned to the Union office no later than the end of business on the first Friday in May to be included in the count.
- c) The Board of Elections shall be elected in January prior to the election and shall consist of one member from each branch.
- d) The Board of Elections shall adopt appropriate rules and provide forms and ballots for the conduct of nominations and elections in accordance with the Constitution and accepted Union practices. The Board of Elections shall provide written rules of campaigning to all candidates.
- e) The Board of Elections shall specify in each election the number of signatures required for each office and shall furnish the nominating petitions.
- f) Election of Local Officers and branch Officers, commencing with the election of the adoption of these By- laws, shall take place every three years on the first Friday in May.
- g) A majority of the votes cast for any office shall be required for the election to that office.
- h) A majority of the votes cast for any office shall be required for the election to that office and in the event no candidate obtains a majority of votes in a contest involving three or more candidates, a run-off election shall be held between the two candidates receiving the highest amount of votes cast for such office. (Section Tie-Ballot box), President or Executive Board tie (Ballot box).
- i) In the event a vacancy occurs in any office twelve months or longer prior to the expiration of the term of such office, the vacancy shall be filled by a special election. A vacancy occurring less than twelve months prior to the expiration of the term of such office shall be filled by an appointment by the Executive Board.
- j) The term of office of all elected officers shall be from June 1st following the election until May 31st of the following election.
- k) The President shall have a transitional period until the date of the swearing in.

ARTICLE VIII- MEMBERSHIP MEETINGS

- a) A Sergeant at Arms shall be appointed by the presiding officer at branch meetings to examine the credentials of all members and visitors attending the meeting and to have them sign the attendance book for the respective session.
- b) The official attendance register shall constitute sole proof of attendance at Local branch meetings
- c) The order of business at General Membership and branch meetings shall be as follows:
 - 1. Opening - Announce all exits
 - 2. Pledge of allegiance to the flag of the Unites States
 - 3. Reading of the minutes of the previous meeting
 - 4. Communications
 - 5. Acceptance and obligations of new members
 - 6. Executive Board and Officers report
 - 7. Reports from delegates and committees
 - 8. Unfinished business
 - 9. New business
 - 10. Good and welfare
 - 11. Adjournment
 - 12. Report from all Section chairmen covering unfinished and new business
 - 13. Committee on Political Education

d) The order of business at Local 252 Executive Board meetings shall be as follows:

1. Opening - Exits
2. Pledge of allegiance to the flag of the United States
3. Reading of the minutes of the previous meeting
4. Communications
5. Acceptance and obligations of new members
6. Reports from delegates and committees
7. Report from the President
8. Unfinished business
9. New business
10. Good and welfare
11. Report from all Section chairmen covering unfinished and new business
12. Adjournment

ARTICLE IX - FINANCES

a) The initiation fee in Local 252 shall be thirty-five dollars (\$35.00).

b) The Executive Board shall, at the meeting following installation and at such other meetings as may be deemed necessary, adopt a budget for the term of office of said Executive Board and the respective officers shall be guided by such budget in conducting the affairs of the Local Union.

c) The Secretary-Treasurer of the Local shall meet with the President of the Local at least once in every month and review all vouchers so that they may prepare a report and any recommendations that they may have for the next Executive Board meeting.

d) The Secretary-Treasurer shall prepare a financial report for each Executive Board and General Membership meeting. Between meetings any members of Local 252 in good standing who wish to see a financial report may do so by making an appointment with the Secretary-Treasurer at Union Headquarters.

e) An outside auditor shall audit the books of the Secretary-Treasurer and certify to their accuracy at least once every year. Any member of Local 252 in good standing may inspect the auditor's report at Union Headquarters by making an appointment to do so with the Local Secretary-Treasurer.

f) All expenses and transportation for the President or for any other officer or member shall be on the basis of expenses or losses incurred which shall be subject to review of the Secretary-Treasurer and the Local Executive Board.

g) The President of the Local shall authorize in advance any time lost by an officer or member of the Local.

h) Any Union funds spent on member activities shall be voted on by the Executive Board.

i) A benefit fund shall be established with a percentage of the weekly dues to be voted on by the Executive Board and put into a separate investment fund.

j) The Union shall establish a one-time paid benefit at the time of a current member's retirement based upon a minimum of ten (10) years of membership in TWU Local 252 at a rate of \$15 per year of membership with a maximum of \$500.00.

ARTICLE X - GRIEVANCES

a) Any member who has a grievance or who wishes to exercise any right provided by the contract, or who wishes to confer with management on any matter pertaining to his employment, shall submit his complaint in writing to their respective section representative.

b) The Local Shop Steward shall provide appropriate grievance forms for the use of members and shall be responsible for the effective processing of grievances.

c) All members shall meet or confer with management with a Union representative.

d) No member shall lodge complaints against or concerning other members of the Union other than to a union representative such as a union officer.

ARTICLE XI - STRIKES

- a) A strike against any employer shall be called only with the consent of a majority of the members employed by the employer affected and only after compliance with the International Union.
- b) The members involved in a strike shall decide by a majority vote whether a strike is to be voted upon by a voice vote, show of hands, or secret ballot. The same manner of voting used to call a strike shall be used in voting whether to end the strike.
- c) The Local officers together with the officers of the sections involved, and such additional committee people as the members involved may designate, shall constitute the strike committee.
- d) The strike committee shall be solely responsible for the conduct of a strike and shall be charged with all authority on all matters pertaining to the conduct of any strike.
- e) No proposals, offers or other settlements to serve as a basis for calling off a strike shall be submitted to the members on strike, except when such submission is recommended by a majority of the strike committee. In the event any member or members wish to consider such settlement(s) recommended by only a minority of the strike committee, the members on strike shall first vote whether they continue to have confidence in the strike committee. Only upon voting "no confidence" in the strike committee shall the member vote on acceptance of the settlement which the strike committee declined to submit.
- f) No other person than those designated by the negotiating committee or strike committee shall be authorized to make any commitment or statement on behalf of the Local or any member of the Local

ARTICLE XII - SPECIAL COMMITTEES

Subject to the approval of the Executive Board, the President may, from time to time, appoint such special committees as may be necessary for the efficient conduct of the Local.

ARTICLE XIII - AFFILIATIONS

This Local shall be affiliated with the Long Island Federation of Labor AFL-CIO, and with such other central bodies and councils as may be deemed in the interest of advancing the welfare of the members of the Local.

ARTICLE XIV - INTERNATIONAL CONSTITUTION

In the event of any conflict between these By-Laws and the TWU International Constitution, the TWU Constitution shall control. Matters not covered herein shall be governed by the TWU International Constitution including, but not limited to charges, hearings and removal of officers.

ARTICLE XV-AMENDEMENTS TO BY-LAWS

- a) These By-Laws may be altered, amended or repealed by a majority vote of the membership present and voting at any regular or special meeting, provided that the proposed change, amendment or repeal has been posted for a period of one week on the Union bulletin board.
- b) Proposals for all changes, amendments or repeals of the By-Laws shall be submitted in writing to the Executive Board.