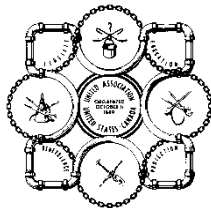


BY-LAWS AND WORKING RULES

PLUMBERS and
STEAMFITTERS

LOCAL UNION NO. 166
Fort Wayne, Indiana



Adopted April 30, 1952
Revised June 5, 2017

**BY-LAWS
AND
WORKING RULES**

**PLUMBERS and
STEAMFITTERS**

**LOCAL UNION NO. 166
Fort Wayne, Indiana**

Adopted April 30, 1952
Revised February 26, 1960
Revised May 10, 1967
Revised May 14, 1975
Revised February 9, 1977
Revised November 13, 1985
Revised January 14, 1987
Revised November 13, 1991
Revised November 31, 1996
Revised November 1, 2011
Revised June 5, 2017

SCHEDULE OF MEETINGS

All meetings will be held at 2930 W. Ludwig Road, Fort Wayne, Indiana 46818 unless otherwise stated.

Regular Meetings:

2nd Wednesday of the Month, 6:30 P.M.

Special Meetings:

Membership will be notified of any Special Meetings.

Executive Board:

Monday before each regular Union Meeting, 6:00 P.M.

Examining Boards:

As required.

NON-EXCLUSIVE LANGUAGE

Wherever in these By-Laws the words he, him, his, himself, Journeyman, or Journeymen are used, such words shall be construed to include those persons of feminine gender as well as those of masculine gender.

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**BY-LAWS, WORKING RULES AND
JURISDICTION OF LOCAL UNION NO. 166**

NAME AND TERRITORY

Section 1 - NAME

This Local Union shall be identified as Local Union No. 166 of the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada.

Section 2 - TERRITORY

The territorial area of the activities of the Local Union shall comprise the following Counties of the State of Indiana: Adams, Allen, Blackford, Dekalb, Elkhart, Grant, Huntington, Kosciusko, Lagrange, Noble, Steuben, Wabash, Wells, and Whitley. Also such territory allotted to it by the United Association from time to time and such other agreements of territorial jurisdiction as may be negotiated with Sister Local Unions.

MEMBERSHIP

Section 3 - MEMBERSHIP APPLICATIONS

All applications for membership will be processed in accordance with the U.A. Constitution after having been read at a regular meeting.

After an applicant has been qualified and accepted into the membership of Local Union No. 166, he must enroll and complete a U.A. Heritage course, as set forth by the Joint Apprenticeship Training Committee.

Section 4 - QUALIFICATIONS

- (A) Qualifications for Journeymen for Building and Construction Trades: Any person of good moral character, who shall have worked at the trade for not less than five (5) years, and who shall pass the current examination in the branch of trade in which they may be applying, to be given by the Examining Board, shall be eligible for membership as Journeyman. There will be one test for each branch of trade, which may be updated at the discretion of the Examining Board.
- (B) Qualifications for Journeymen for Division Trades: Any person of good moral character, who shall have worked at the trade for not less than five (5) years, shall be eligible for membership as a Journeyman.

Section 5 - FEE

- (A) Examination fee for Building and Construction Trades Journeymen shall be ten (10) times the current Journeymen's hourly wage. Examinee will be limited to three (3) hours to complete the examination. The Examining Board will then have one (1) hour for grading of each examination. Each re-examination shall require another examination fee.
- (B) Initiation fee for Building and Construction Trades Journeymen shall be forty (40) times the hourly wage for a Journeyman and shall be paid after the applicant passes the examination.
- (C) Apprentices shall pay Forty Dollars (\$40.00) before initiation into Local Union 166.
- (D) Initiation fee for Division Trades Journeymen shall be Two Hundred Dollars (\$200.00), payable before the applicant is initiated.

After working two (2) years as a Division Trades Journeyman, he may take an examination to become a Building Trades Journeymen. Examination fee shall be ten (10) times the current Journeyman hourly rate of pay. Each re-examination shall require another examination fee.

- (E) Initiation fee for Metal Trades shall be Forty Dollars (\$40.00), payable before applicant is initiated.

Section 6 - REJECTION OF APPLICANT

Should any applicant for admission as a Journeyman be rejected, he shall not again apply for admission for a period of three (3) months or until the cause for which he was rejected has been removed.

Section 7 - FALSE REPRESENTATION

Any person gaining admission to the Local Union upon fraud, false statements or misrepresentation shall, after notice, hearing and a finding of guilt in accordance with the procedures of Section 200 or Section 203(a) of the U.A. Constitution, be penalized by expulsion.

Section 8 - CARD TRANSFER REQUIREMENTS

Travel and Transfer Cards will be accepted according to the United Association Constitution.

ELECTIONS

Section 9 - ELIGIBILITY OF OFFICERS

Only qualified Journeymen members of the Building and Construction Trades Branch of the Local Union shall be eligible for the following offices in a Combination Local Union: 1- President; 2-Vice President; 3-Business Manager; 4-Members of Examining Board; 5-Majority membership on Local Union's Executive Board; 6-Financial Secretary-Treasurer.

Journeyman members of Metal Trades Branch of the Local Union shall be eligible for all other offices.

No member who holds a financial interest in any business directly connected with the plumbing and pipe fitting industry may run for or hold union office until six (6) months after the member has terminated his financial interest in the business.

Section 10 - ELIGIBLE TO VOTE AT ELECTION

No member shall vote at any election of any description unless he has been a member in good standing in the Local Union where the vote is being taken for a period of one year prior to the date of election. Any member who owes or has paid a reinstatement fee within a period of one (1) year immediately prior to the date of election shall not be eligible to vote in any Local Union election.

Any member of the United Association who enters business legitimately for himself, or who holds a financial interest in any business directly connected with the plumbing and pipefitting industry, and who desires to maintain his membership in the United Association in order to keep his burial expenses benefits, shall not have the right to voice or vote or to take any part in the official affairs of the Union until six (6) months after the member has terminated his business or financial interest in any business directly connected with the plumbing and pipe fitting industry.

Section 11 - EXPENDITURE OF MONEY

No member shall be eligible to vote on any matter directly pertaining to the Local Union Treasury unless he is a Journeyman in good standing.

Section 12 - TERM OF OFFICE

All officers shall be elected for a term of three (3) years, unless otherwise provided for in these By-Laws or U.A. Constitution.

Section 13 - NOMINATION AND ELECTION OF OFFICERS

- (A) All nominations for officers shall be made from the floor and shall be put upon the ballot alphabetically according to surname. All members will be notified ten (10) days in advance of the May meeting of the fact of nomination.
- (B) No member shall be elected to any office in this Local Union unless he is, at the time, a Journeyman and has been in continuous good standing for two (2) years prior to election.
- (C) No member shall hold more than one office at any time, nor be a candidate for more than one office in any election.
- (D) Nomination of officers shall be on the regular meeting night in May.
- (E) Declinations shall be made from the floor at any time, during nomination night only.

- (F) Election of officers shall be on the third Friday in June.
- (G) Nominees must be present to accept or send in letter of acceptance prior to the meeting to the recording secretary.
- (H) No absentee voting shall be allowed in any balloting except under those conditions allowable by the U.A. Constitution.
- (I) Election will be a secret ballot.
- (J) A plurality vote shall be required to elect a candidate.
- (K) Newly elected officers will assume office on the first regular business day after election. Ceremonial installation of officers to be held the first meeting in July conducted according to the United Association Ritual.
- (L) For a period of two (2) weeks after the election of newly elected officers, they shall work in the office with the outgoing officer. The outgoing officers will cooperate in every way with the newly elected officer or forfeit his salary.
- (M) Upon illness or injury of the Financial Secretary-Treasurer or Business Manager, the office may be filled by appointment by the President for one (1) period only, not to exceed two (2) months.
- (N) When vacancies in office occur, membership shall be notified and regular election procedure shall follow.

Section 14 - ELECTION BOARD PROCEDURE

- (A) Immediately after the nomination of officers, the election committee, composed of three (3) tellers and one (1) judge, shall be appointed by the President and shall be compensated at the Journeyman's rate of pay for all time while conducting the election and counting of the ballots.
- (B) Sample ballots shall be mailed to the membership not later than fifteen (15) days after the nomination of officers. Sample ballots shall be clearly identified as sample ballots.
- (C) No candidate for office shall be eligible to serve on the Election Committee.
- (D) Any member in good standing who does not have a reinstatement stamp dated later than one (1) year prior to election will be eligible to vote.
- (E) A member whose Transfer Card has been deposited and accepted in the Local Union one (1) year prior to the election will be eligible to vote.
- (F) The Election Board shall remain in session until all ballots have been counted.
- (G) All ballots will be marked as prescribed by the Election Board. Ballots marked with a pencil, torn or mutilated in any manner will not be counted. Member must have a U.A. dues card with him, or certification by the Local Union Business office with Local Union seal attached to receive a ballot. The Election Board will check with membership rolls to determine eligibility to vote.

- (H) Ballot box shall be locked and the judge shall have custody of the key. When voting machines are used, the Election Board shall be present while the machines are set up and locked prior to election.
- (I) Hours of voting shall be from 12:00 Noon to 8:00 P.M.
- (J) All records and ballots pertaining to the election must be retained for three (3) years.

OFFICERS AND THEIR DUTIES

Section 15 - PRESIDENT

The President shall preside over all meetings and conduct the same in conformity with rules of order and common sense. He shall have the deciding vote in case of tie. He shall have a general supervisory control over all matters pertaining to the welfare of the Local Union. He can, and upon request of fifteen (15) members must, call a special meeting of the Local Union. He shall ex-officio over all committees with all rights and privileges of committeemen and shall appoint a majority of all members of each committee, unless otherwise provided for in these By-Laws. He shall see that all committees perform the duties assigned to them within a reasonable length of time. He shall promptly remove any committee member not performing his duties and appoint another. (The absence from two consecutive meetings of a committee without a legitimate reason for such absences shall be considered neglect of duty and reason for removal from committee.)

Any changes in committee members shall be made known to the membership at the next regular meeting by the President. The President shall cooperate with and aid the Business Manager in the performance of his duties and shall not work in conflict with him. He shall be a standing delegate to any and all conventions to which this Local Union sends delegates, except for the UA Convention.

Section 16 - VICE-PRESIDENT

The Vice-President shall be chairman of the Executive Board and have supervision over all members entering the assembly room and upon a member presenting his dues card in good standing, he will give him the password. He shall also have supervision over all members departing from the assembly room; assist the President and keep order during meetings, and in absence of the President will assume the chair. He shall appoint the minority of all Committees, unless otherwise provided for in these By-Laws.

Section 17 - BUSINESS MANAGER

Local Union No. 166 shall elect one (1) member as Business Manager, whose duty and obligation it shall be to vigilantly protect the trade jurisdiction of the United Association in the Plumbing and Pipe Fitting Industry in the locality over which Local Union 166 has jurisdiction; also to compel employers to observe and respect collective bargaining agreements, adjusting all grievances between members of the Local Union 166 and their employers with justice and fairness. He shall foster and promote employment for members, shall render a full and complete

report to the Executive Board and report to the membership at regular meetings. He shall be held responsible to his Local Union for results in organizing his territory and may, at any time request the President and/or Executive Board of this Local Union to aid in such work by appointment of committees, assistants, etc. He shall be a member of the Apprentice Committee and appoint all Union members of the committee. He shall serve as a trustee on all fringe benefit trust funds of the Local Union. He shall be a delegate to any and all conventions to which this local Union sends delegates.

Section 18 - BUSINESS AGENT

Six (6) months prior to the election of Local Union No. 166 officers, the membership of Local Union No. 166, voting in a secret ballot, shall determine the number of Business Agent positions required.

All Business Agents shall be elected. They shall work under the supervision and control of the Business Manager.

Grievances between the Business Manager and Business Agent may be aired before the Executive Board. Dismissal of any Business Agent(s) shall be according to Section 127 of the UA Constitution.

Through the course of his term, the Business Manager may request the membership, voting in a secret ballot, to approve the election of any additional Business Agent(s)

Section 19 - EXECUTIVE BOARD

The Executive Board shall be composed of five (5) elected members, including the Vice-President who shall be the chairman. The Executive Board shall meet at 6:00 P. M. on the Monday before the regular Union Meeting unless stated otherwise, and hold any special meetings ordered by the Local Union or by the duly elected Local Union Officers.

They must elect among themselves a Secretary. It shall be the duty of the Secretary to keep a correct written account of all business transacted at their meetings and report the same with their recommendations at each regular meeting of the Local Union. (A majority vote of the members present is necessary to overrule recommendations of the Executive Board.) The Executive Board shall, between the meetings of Local Union No. 166, transact such business as may be referred to it by the Local Union, or the duly elected Local Union Officers, prior to the next regular meeting.

The Executive Board shall see that all members or officers who are not entitled to remain in the Board Meetings shall retire after they have heard and submitted their business to the Board. When a Board member is directly interested or involved in any case before the Board, he shall be disqualified and a substitute shall be named by the President for that case.

Section 20 - FINANCIAL SECRETARY-TREASURER

The office of Financial Secretary and Treasurer shall be combined into one office to be known as Financial Secretary-Treasurer. The Financial Secretary-Treasurer shall keep a correct

account of the financial standing of all members of this Local Union, receipt and account for all monies received or disbursed by order of the Local Union. He shall, not later than forty-eight (48) hours after the last day of the calendar month, forward to the General Office per capita in the amounts stated in Section 74 of the UA Constitution, 50 percent of all \$50.00 reinstatement fees, \$100.00 for issuance of withdrawal card fees, \$100.000 reinstatement fees for members reinstating with a current paid up withdrawal card, \$40.00 initiation fees, and \$100.00 for renewal of withdrawal card fees, and the sum total of all United Association assessments. He shall pay all bills upon proper vouchers ordered by Local Union No. 166. He shall make no disbursements without sanction of the Executive Board and/or membership, except for the following regular or standing bills: rent, officers' salaries, payment to the U.A. Headquarters and telephone rent and tolls. He shall deposit all money in a bank designated by the Executive Board and pay all bills by check signed by himself and co-signed by the President or Business Manager. He shall be placed upon bond in some reputable bonding company, the bond to be paid for by Local Union No. 166. He shall make a report of receipts and expenses of the previous month at the regular monthly meeting.

Section 21 - RECORDING SECRETARY

The Recording Secretary will keep a correct and intelligent account of all transactions, resolutions, and motions, and the general business of the meetings. In the absence of the President and Vice-President, he shall open the meeting, at which time the membership may elect a Chairman pro-tempore and Vice-Chairman pro-tempore or instruct the Recording Secretary to appoint same.

He shall keep a separate resolution book for the recording of motions and resolutions directing the operations of this Local Union.

He shall immediately after the election of officers forward to the General Secretary-Treasurer of the United Association, the names and addresses of the officers upon blanks furnished by the United Association. The Recording Secretary shall also handle all official correspondence to the UA Journal.

Section 22 - EXAMINING BOARD

The Examining Board shall be composed of three (3) panels of three (3) members each. One panel each of Plumbers, Steamfitters, and Refrigeration Fitters. Each panel shall examine the qualifications of applicants for their branch of the trade.

The minimum passing percentage in an examination for admission shall be seventy percent (70%). The result of the examination shall be reported at the next regular Union meeting.

An apprentice member of the Local Union having successfully completed his five-year apprenticeship program, and having been certified by the Joint Apprentice Committee, shall not be examined by the Local Union Examining Board and shall automatically be entered on the rolls of the Local Union as a journeymen.

Section 23 - INSIDE GUARD

The Inside Guard of the Local Union shall have charge of the door and be under direct supervision of the Vice-President.

Section 24 - OFFICERS AND THEIR DUTIES

The officers shall also perform such other duties as are prescribed herein, or may be assigned to them by this Local Union from time to time, when such duties are not in conflict with these By-Laws or the Constitution of the United Association.

Roll call of officers and delegates shall be made and recorded at all meetings.

Section 25 - REMOVAL FROM OFFICE

All removals from office shall be conducted in accordance with the U.A. Constitution.

Any officer or delegate absent from three consecutive meetings, including regular and/or special meetings of the Local Union, and meetings required by his office, may be removed from office, for just cause, after notice and trial, and in accordance with Section 127 of the U.A. Constitution.

Section 26 - COMMITMENTS OF OFFICERS

All officers of this Local Union shall act in a legal and responsible manner according to their constitutional duties.

Section 27 - DEFAULTERS

Shall be tried in accordance with the U.A. Constitution.

Section 28 - BONDING

All officers and employees of the Local Union shall be bonded in accordance with all State and Federal Laws.

COMMITTEES

Section 29 - COMMITTEES

In order to expedite the Business of the Local Union, there shall be Committees.

- (A) Bargaining Committee - shall consist of the Business Manager who, by virtue of his office, shall be established as chairman, President, and three (3) additional members to be elected at the same time that the Local Officers are elected and shall serve a

three (3) year term during which they will participate in any and all contract negotiations. The fourth highest votes shall be alternatives in the event the top three (3) cannot fulfill their duties. Since these are committee positions, not officers, any member in good standing may be nominated to serve.

The chairman shall have the authority to appoint an attorney or other professional to serve on the Bargaining Committee.

- (B) Death Committee - the Business Manager and Business Agents shall perform these duties.
- (C) Activities Committee - shall consist of not less than six (6) members appointed.
- (D) Legislative Committee – shall consist of at least (3) appointed members, whose duty it shall be to investigate the various systems of work installed in their vicinity and to try by all possible and legitimate means to elevate the standard of work done in the area.
- (E) Committee for Political Education – shall be appointed by the Business Manager and shall seek to educate the membership and the public on the issues and candidates in state, municipal and national elections; to encourage and assist members and their families to register and vote in elections; and to coordinate the Local Union’s political activities with the trade union in the area.
- (F) Special Committees - shall be appointed as needed.
- (G) Scholarship Charitable Trust Fund Committee - shall consist of the Business Manager, the Financial Secretary and three (3) additional members.

The first named member, appointed by the President, shall be the Chairman pro-tempore, charged with the responsibility of calling the Committee for the first meeting. At the time of the first meeting, the members of the Committee shall select from their number a Chairman and Secretary. All Committee Secretaries must report, in writing, the proceedings of their various meetings to the membership at the regular meeting of the Local.

Section 30 - APPRENTICES

Apprentices must be furnished by this Local Union and be under direction of the Apprentice Committee. No Journeyman shall permit his Apprentice to work on the job alone, except by current working agreement. The term of Apprenticeship shall be not less than five (5) years.

It shall be the duty of the Apprentice Committee to enroll and maintain an eligible list of applicants for apprenticeship to see that said Apprentices get experience in various lines of the trade. All grievances of Apprentices shall be brought before the Apprentice Committee. The Committee shall also see that the Apprenticeship Program conforms with Federal Apprenticeship Standards as approved by the U.A. Constitution, the Local Union collective bargaining agreement, and the Apprenticeship Standards.

Application for Apprenticeship shall be made on Pipe Trades Application forms provided by the U.A.

Section 31 - PRE-APPRENTICES

Pre-Apprentices shall be selected from the list of Apprenticeship applicants first, and then by other means necessary to fill the position thereafter.

Any member of the U.A. guilty of allowing a Pre-Apprentice to perform work, other than that which is specifically stated in the current Local Union 166 collective bargaining agreement, shall be subject to the following reprimands: First Offense- not less than \$100.00 assessment; Second offense- not less than \$500.00 assessment: after trial and conviction by the Executive Board.

Section 32 - FINANCE COMMITTEE

- (A) Local No. 166 shall elect a Finance Committee of three (3) members, who shall all serve for the same term in office as the other officers of the Local Union, whose duty it shall be to examine the accounts of the Financial Secretary-Treasurer at the end of every month. They shall examine the books and bank accounts and count all money in possession of the Financial Secretary-Treasurer. They shall, if they deem it necessary, require a bank statement from the cashier of the bank in which the Local monies are deposited, and they shall report their findings at the first regular meeting in the following month upon duplicate bank reports. When the report is accepted by the Local Union, it shall be counter-signed by the President and Financial Secretary-Treasurer under the seal of the Local Union.
- (B) The Finance Committee shall have the power to examine the accounts of the different officers any time they deem necessary to do so, and any officer or member refusing to deliver to such Finance Committee any books, papers, stamps, or other matters necessary for such examinations, or who shall in any manner harass the Finance committee in the discharge of their duties, shall be assessed not less than Twenty-Five Dollars (\$25.00), upon charges being filed in accordance with the U.A. Constitution.

FINANCES

Section 33 - FINANCES

Any amount of monies over Five Hundred Dollars (\$500.00) shall be referred to the Executive Board for their recommendations. The Executive Board may call before them the Finance Committee, or any other officer or member of the Local Union they deem it necessary, to aid them in reaching their decision on the disposition of said money.*

At any time, and for any reason that it is ordered by the Executive Board and concurred in by the membership of this Local Union, that any of the monies, bonds, securities, or other property of this Local Union be removed or transferred from their place of safe-keeping, be it bank, safety deposit vault or otherwise; such removal and the custody of said monies, bonds, securities, or other property shall be executed by a bonded officer of this Local Union, who shall be accompanied by the President and the Financial Secretary-Treasurer. Said bonded officer shall

be responsible for the monies, bonds, securities, or property until the completion of the transaction for which the removal or transfer was ordered.

*The only exception to this Section shall be regular and normal business operating expenses.

Section 34 - FINANCIAL STABILITY

In order to provide stability of the Local's finances and to comply with the UA's Guidelines, a floating dues structure is hereby established.

Working Dues shall be considered to be three percent (3%). When the balance of liquid assets is less than \$600,000.00, the working dues shall be four percent (4%) with proper notification. Dues shall remain four percent (4%) until assets exceed a balance of \$800,000.00 for a period of three months (one-quarter) at which time with proper notification dues will return to three percent (3%).

The Local may increase dues or levy an assessment upon the membership only by a majority vote by secret ballot after written notice shall have been given to the membership of the intention to vote upon the dues increase or the levying of an assessment. The written notice shall set forth the time and place where the vote will be taken, either at a regular or special membership meeting.

Section 35 - LOANS OF MONEY

No loans shall be made from the Union Treasury.

DUTIES OF MEMBERS

Section 36 - EMPLOYER DISCRIMINATION

Any member who is about to be discharged for obeying the rules of this Local must notify the Business Manager immediately.

Section 37 - PICKET LINE VIOLATION

No member of this Local Union shall cross a duly authorized picket line without the consent of the Local Union. Members violating this by-law shall be subject to disciplinary action upon trial and conviction according to the U.A. Constitution.

Section 38 - POLITICAL DISCUSSION AND ACTION

No member of this Local shall use the name of this Local for endorsement of any political office without the Local's authority to do so.

Section 39 - MEMBERS GOING INTO BUSINESS

Before any member of this Local Union goes into business in the Piping Industry, it shall be his duty to provide written notice explaining his intentions to the Executive Board. He shall be entitled to retain his membership in this Local Union.

No member who holds a financial interest in any business directly connected with the plumbing and pipe fitting industry may run for or hold union office until six (6) months after the member has terminated his financial interest in the business.

Section 40 - ADDRESSES

All members shall notify the office of Local No. 166 of any change of residence or telephone number immediately after such change. Any member failing to do so, shall appear before the Executive Board.

Section 41 - PICKET LINE DUTY

In order to establish a strong Union and protect all phases of our work, each member shall serve a minimum of eight (8) hours on picket duty as required. The hours shall be served without receiving wages or fringe benefits. Members excluded from this duty are members over sixty (60) years of age. Members working out of the jurisdiction shall be by-passed if their names come up, but shall not be given credit for a turn of duty.

A current and accurate alphabetical list of all members will be maintained by the Union Office. Members will be called from this list and will be given credit upon completion of their turns on picket duty or similar assignment.

The Business Manager or an agent acting on his behalf shall have full authority to call as many members as necessary to establish an effective picket line wherever needed. In calling members, reasonable judgment shall be used so as to not work hardships on any union job or create damaging effects for the Union.

Any member failing to take his turn when called shall forfeit eight (8) hours pay at General Foreman's rate to the General Fund of Local 166. Such payments must be paid prior to the acceptance of any Union Dues.

A picket captain shall be appointed for each shift and each picket shall conduct himself in the best interests of the Local Union.

WORKING RULES

Section 42 - USE OF AUTOMOBILE

The use of vehicles of any description (unless furnished by the employer) will be discontinued by the members of the United Association during working hours, except as authorized by an applicable collective bargaining agreement.

Section 43 - WORKDAY

The workday shall be in accordance with the current Agreement.

The Business Manager's hours shall be from 8:00 A.M. to 5:00 P.M. with one (1) hour off for lunch.

Shift work shall be worked in accordance with the current Agreement.

Section 44 - PAYDAY

The payday shall be in accordance with the current Agreement.

Section 45 - SHOW-UP TIME

Show-up time shall be in accordance with the current Agreement.

Section 46 - ESTIMATING WORK

Members of Local Union No. 166 shall not make material estimates for an employer unless he received the regular rate of Journeyman's pay. All listing of material must be done at jobsite or shop. No member shall be allowed to list material from plans in any other manner before or after regular working hours unless he receives the overtime rate of pay.

Section 47 - HOLIDAYS

Holidays shall be the same as set forth in the Agreement. When said Holidays fall on Sunday, the day designated as the legal Holiday by the U.S. Government shall be observed.

Section 48 - STEWARDS

The Business Manager may appoint a Steward. When the Steward knowingly is to be absent from the job, he shall notify the Business Manager in advance. If overtime is to be worked, the Steward shall be entitled to work if he chooses. Superintendent and Foreman shall not be allowed to act as Steward. Steward shall be under the supervision of the Business Manager.

The Steward shall be allowed a reasonable amount of time to attend to his duties during regular working hours. When the Steward is aware the rules of Local Union No. 166 are being violated, he shall attempt, with diplomacy and tact, to adjust such differences; if unable to do so, he shall immediately notify the Business Manager.

The Business Manager shall see the Steward immediately on his arrival on the job. In case of dispute, the Steward shall remain in the presence of the Business Manager during his entire time on the job if it is necessary.

Any Steward who is about to be discharged (or has been discharged), for obeying or enforcing the rules of this Local Union, shall at once notify the Business Manager. Should evidence indicate the employee has been discriminated against, he shall be reinstated to his previous status.

If the Steward desires, the Business Manager will notify him of any lay-off of men at the earliest possible time.

Section 49 - TOOLS

No member shall be permitted to furnish, rent or loan any tools or equipment other than those stated in the current working agreement, and shall not be required to deposit any money to guarantee the safety of a tool kit.

Section 50 - CONTRACTING

No member of the United Association will be permitted to subcontract or lump the installation of any plumbing, heating, sprinkler or pipe work, or any other work under the jurisdiction of the Local Union No. 166, or work in any shop where subcontracting is practiced. Any member who violates this section may be fined, suspended or expelled in accordance with the procedures of Section 200 of the United Association Constitution.

Section 51 - TRADE JURISDICTION

Journeyman members of the Metal Trades Branch of this Local Union cannot work in the jurisdiction of the Building and Construction Trades Branch, but a Journeyman member of the Building and Construction Trades Branch may work in the jurisdiction of the Metal Trades Branch.

Section 52 - TOOLS & DISTRIBUTION OF MATERIALS

The handling and distribution of all tools and materials at the jobsite shall be done by members of Local Union No. 166. (Jobsite to be expressly understood to cover all portions of such property wherein the work is being performed.)

Section 53 - CHAIN OF COMMAND

Orders shall be dispatched to members in the following sequence: Superintendent to General Foreman; General Foreman to Foreman; Foreman to Journeyman or Apprentice. Any member failing to obey this rule shall be assessed not less than Twenty-Five Dollars (\$25.00), after proper trial and hearing.

Section 54 - FOREMAN

A Foreman shall be put on all jobs in accordance with the current Agreement.

Section 55 - JURISDICTION OF WORK

In accordance with the U.A. Constitution and Local Union 166's current Agreement.

Section 56 - PROOF OF WELDING CERTIFICATION

All Building Trades Journeymen performing welding, within Local No.166 jurisdiction, shall have on file at the Local Union office, proof of welding certification less than five (5) years old. Violations subject to Section 63 of Local No. 166 By-Laws.

MEETINGS

Section 57 - REGULAR MEETINGS

Meetings will be held at 2930 W. Ludwig Road, Fort Wayne, Indiana 46818 on the second Wednesday of each month at 6:30 P.M., unless otherwise stated.

Section 58 - SPECIAL MEETINGS

The President shall call special meetings as required. The membership will be notified of any special meetings.

Section 59 - CONDUCT AT MEETING

Any member, while in the meeting hall, conducting himself in a manner which disturbs the decorum of the meeting shall be assessed a fine of not less than One Dollar (\$1.00), nor more than Five Dollars (\$5.00) for each offense. The President has the power to impose the above assessment, which can only be rescinded by a 2/3 majority of the membership at that meeting.

The President, at his discretion, may have discourteous, unruly, or blasphemous members removed from the meeting hall.

Section 60 - PASSWORD

Members must be in good financial standing in the Local Union before they are entitled to the password or admission to the meeting room.

UNION POLICIES

Section 61 - DEATH ASSESSMENT

A death assessment of ten dollars (\$10.00) shall be levied on every member of Local Union 166. Eight dollars (\$8.00) of each assessment shall be paid to the deceased beneficiary. Two dollar (\$2.00) of each assessment shall be paid to the Local 166 Scholarship Charitable Trust Fund, by the Local Union, as soon as possible after any member dies.

In the event that an individual becomes a non-member of Local 166 Union, any unpaid death assessments will automatically become a fine that is to be paid before re-initiation into the Union.

Section 62 - HONORARY MEMBER

There shall be no honorary members in this Local Union. Special privileges may be granted to sick, injured, or aged members by a majority vote at any regular meeting. Special privileges shall not include payment of dues by the Local.

Section 63 - WORKING DETRIMENTAL TO LOCAL UNION

Any member of the Local Union that is found guilty of working detrimental to the U.A. Constitution or By-Laws and Working Rules of this Local Union shall be subject to the following reprimands: First offense, not less than Five Hundred Dollars (\$500.00) assessment; second offense, not less than One Thousand Dollars (\$1,000.00) assessment - after trial and conviction by the Executive Board.

Any member of the Local Union who has been found guilty of working detrimental to the U.A. or the Local Union shall not be eligible to hold any office or serve on any Committee for one (1) year from date of conviction.

Section 63.5(a) - WORKING OUTSIDE OF JURISDICTION

A member shall not perform any work for any contractor whose business performs work that comes with the work jurisdiction of the United Association and Local 166, if that employer is not a party to a collective bargaining agreement entered into either by Local 166 or the United Association. No member may be employed in an industrial plant on any work, whether it be construction, maintenance or modernization that comes within the work jurisdiction of the United Association where the Local Union does not have a collective bargaining agreement with the industrial plant or where the wage rate and terms and conditions of employment in the plant are less than the standards established in the Local 166 Working Agreement, unless the member has, prior to employment in such work, obtained the consent of the Local Union Executive Board and at that time removes their name from the out of work list. A member violating this section shall be disciplined under Section 200 of the U.A. Constitution by fine, suspension or expulsion.

Section 63.5(b) - BUSINESS OR FINANCIAL INTEREST

A member who enters business for himself or holds a financial interest in any business and such business performs work that comes within the work jurisdiction of the United Association must sign a collective bargaining agreement with a Local Union or Local Unions in whose territorial jurisdiction plumbing or pipe fitting work is performed. A member violating this section shall be disciplined under Section 200 of the U.A. Constitution by fine, suspension or expulsion.

Section 64 - CITATIONS

Any member of this Local Union failing to appear before the Executive Board, after having been duly notified by registered mail (return receipt), shall be assessed the sum of not less than Fifty Dollars (\$50.00) for the first offense, and for the second offense, not less than One Hundred Dollars (\$100.00), as provided for in the U.A. Constitution.

Section 65 - SUSPENSION OF MEMBERS

Any member owing three (3) months' dues and assessments shall stand suspended from benefits and privileges of this Local Union.

Section 66 - RETURN CHECK POLICY

Members will be assessed one (1) times the current Journeyman's hourly wage for checks returned to Local No. 166 for non-sufficient funds.

Section 67 - CHECK INSPECTION

The Business Manager and/or authorized member of the Executive Board or President shall have the power and the right to inspect pay checks and pay envelopes of any U.A. member working in the jurisdiction of Local Union No. 166.

Section 68 - BUSINESS MANAGER'S WAGES

The Business Manager's wage package shall be the same as General Foreman as established by the current Working Agreement. The Business Manager is to receive forty-five (45) hours of pay per week in which forty (40) hours are paid at straight time and five (5) hours are paid at time and a half (1 ½). All fringes are to be paid based on forty-five hours per week unless otherwise stated in the plan document.

The Business Agent's wage package shall be as established for a Foreman by the current Agreement, and such other fringes as paid to the Business Manager. The Business Agent(s) are to receive forty-five (45) hours of pay per week in which forty (40) hours are paid at straight time and five (5) hours are paid at time and a half (1 ½).

The Business Manager shall receive one (1) week vacation with pay per year, not to accumulate over two (2) weeks in a two (2) year period. The Local Union shall furnish the Business Manager with an automobile that shall be traded every two (2) years, unless such trade is determined to not be in the best interest of the Local by the Executive Board and Finance Committee.

Section 69 - AUDIT

A copy of the yearly audit of Local Union No. 166 will be made available to each member of the Local Union upon request.

Section 70 - TO AMEND THESE WORKING RULES AND BY-LAWS

- (A) No part of these Working Rules and By-Laws shall be suspended at any time, nor can they be amended except in the following manner: The proposed amendment shall be submitted, in writing, to the Recording Secretary. At the next three regular meetings, the amendment will be read and discussed, and voted upon at the third regular meeting. A majority of all eligible voting members present will be required. There shall be no mailing or distribution of material in support or against a newly proposed or amended By-Law.
- (B) A committee shall be appointed every three years to review the By-Laws.

Section 71 - CONFLICTING RULES

All rules, conflicting with these By-Laws and Working Rules, heretofore adopted by this Local Union, are hereby declared null and void, except wherein previously provided for. In the event of any conflict between these By-Laws and Working Rules and the U.A. Constitution, the terms of the U.A. Constitution shall prevail.

Section 72 - THESE BY-LAWS AND WORKING RULES ARE SEPARABLE

If any part of a section of these By-Laws or Working Rules, or the application of such part or section to any person or circumstance shall be held invalid, the remainder of these By-Laws and Working Rules shall not be affected thereby.

Section 73 - SOLICITATION OF WORK

No member shall go to work on any job or any shop without first seeing the Business Manager, the Business Agent or his designated replacement. No member shall be permitted to solicit work. Anyone being dispatched to perform work within Local 166 jurisdiction for the first time shall be given a written copy of the union working agreement. Any member found guilty of violating this section shall be fined the sum of \$2,500.00 and/or expulsion from Local 166.

Section 74 - EMPLOYMENT ETHICS

No member shall go to work on any job or any shop within Local 166 without approval of the Business Manager, Business Agent, or his designated replacement. This must be done to insure the integrity of the Local 166 Referral Procedure.

Any new members being dispatched to perform work within Local 166 for the first time shall be given copies of the U.A. Constitution, Working Agreement, and the Local 166 By-Laws and Working Rules.

Local 166 members obtaining work in other U.A. Locals, absent the knowledge of the Local 166 Business Manager, Business Agent, or his designate, shall at the earliest convenient time, contact the Local 166 office. This must be done in order to assist employment of other members and to maintain harmony with other members and to maintain harmony with other U.A. Locals.

Any member found guilty of violating this Section shall be dealt with in accordance with Section 63 of these By-Laws.

Section 75 - UA STANDARD OF EXCELLENCE

To ensure the *UA Standard for Excellence* platform meets and maintains its goals, the Local Union Business Manager, in partnership with his implementation team, including shop stewards and the local membership, shall ensure all members:

- (A) Meet their responsibilities to the employer and their fellow workers by arriving on the job ready to work, every day on time (Absenteeism and tardiness will not be tolerated.)
- (B) Adhere to the contractual starting and quitting times, including lunch and break periods (Personal cell phones will not be used during the workday with the exception of lunch and break periods.)
- (C) Meet their responsibility as highly skilled craftworkers by providing the required tools as stipulated under the local Collective Bargaining Agreement while respecting those tools and equipment supplied by the employer
- (D) Use and promote the local union and international training and certification systems to the membership so they may continue on the road of lifelong learning, thus ensuring UA craftworkers are the most highly trained and sought after workers
- (E) Meet their responsibility to be fit for duty, ensuring a zero tolerance policy for substance abuse is strictly met
- (F) Be productive and keep inactive time to a minimum
- (G) Meet their contractual responsibility to eliminate disruptions on the job and safely work towards the on-time completion of the project in an auspicious manner

- (H) Respect the customers' property (Waste and property destruction, such as graffiti, will not be tolerated.)
- (I) Respect the UA, the customer, client and contractor by dressing in a manner appropriate for our highly skilled and professional craft (Offensive words and symbols on clothing and buttons are not acceptable.)
- (J) Respect and obey employer and customer rules and policies
- (K) Follow safe, reasonable and legitimate management directives

Under the *UA Standard for Excellence* it is understood, that members through the local union, and management through the signatory contractors, have duties and are accountable in achieving successful resolutions.

MEMBER AND LOCAL UNION RESPONSIBILITIES:

- (A) The local union and the steward will work with members to correct and solve problems related to job performance.
- (B) Job stewards shall be provided with steward training and receive specialized training with regard to the *UA Standard for Excellence*.
- (C) Regular meetings will be held where the job steward along with UA supervision will communicate with the management team regarding job progress, work schedules, and other issues affecting work processes.
- (D) The job steward shall communicate with the members about issues affecting work progress.
- (E) The business manager or his delegate will conduct regularly scheduled meetings to discuss and resolve issues affecting compliance of the *UA Standard for Excellence* policy.
- (F) The steward and management will attempt to correct such problems with individual members in the workplace.
- (G) Individual members not complying with membership responsibility shall be brought before the Local Union Executive Board, which will address such members' failure to meet their obligation to the local and the UA, up to and including filing charges. The local union's role is to use all available means to correct the compliance problem.

AMENDED 06-05-2017 BY-LAWS COMMITTEE

Kent L. Prosser, Chairman
Lester Zimmerman, Secretary

Thomas Malott
Brent Castleman

Carl Yoder
Nicholas York
Brian Moreno