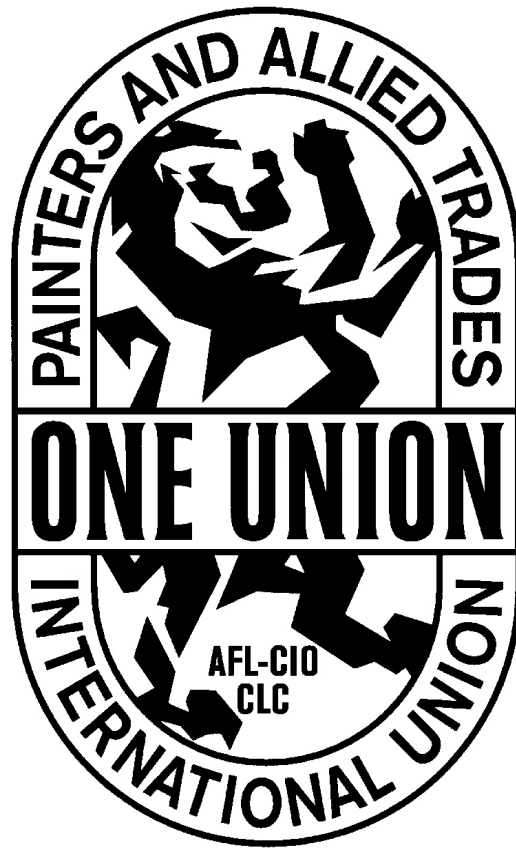


**INTERNATIONAL UNION OF
PAINTERS AND ALLIED TRADES
DISTRICT COUNCIL NO. 15
BYLAWS**



APPROVED APRIL 2010

These Bylaws are being provided in English and Spanish. The official version of these Bylaws is in English and if there are any conflicts between the English and Spanish versions, the provisions in the English version shall prevail.

PREAMBLE

We, the members of District Council 15, of the International Union of Painters and Allied Trades, AFL-CIO, believing that organization and collective action is necessary to foster and adopt ways and means for the continuous improvement of the working and living standards of the members of the Locals affiliated with this International Union; to secure legislation in the interests of our members; to bring about higher wages, shorter hours and better working conditions for them; to influence public opinion by peaceful and legal methods, in favor of our affiliated organizations and all organized labor generally; to promote, encourage and bring into existence satisfactory contractual relationships with employers in the industries from which the members of our affiliates are drawn; to advance and maintain better relations between our members and their employers; and to otherwise enrich the lives of our members and their families, and all other working men and women hereby formulate and adopt these Bylaws for our guidance and governance.

Article 1 BYLAWS

1.1 These Bylaws shall be subordinate to the provisions of the International Constitution of the International Union of Painters and Allied Trades, AFL-CIO, (hereinafter called "the International" or "International Union"). In case of conflict between these provisions and the provisions of the Constitution of the International Union, the latter shall govern. These Bylaws shall conform to Section 194 of the Constitution of the International Union.

Article 2 NAME

2.1 This organization shall be known as IUPAT District Council 15, a subordinate body of the International Union of Painters and Allied Trades. District Council 15 shall be composed of Local Union's 79, 86, 159, 419, 930, 1512, 2001 and any Local Unions which are added to the Jurisdiction of District Council 15 by the International Union's General Executive Board.

Article 3
OBJECTS

3.1 The objects of the District Council are to further the objects of the International Union, organize the unorganized, to bring about harmony and unity between Local Unions; to establish a minimum rate of wages in the district; to enforce a code of working rules governing hours, wages, and other terms and conditions of employment; and to create a marketplace in which an atmosphere of labor/management cooperation will enhance prosperity for Union employers while, at the same time, insuring job security, safety, training and excellent wages and benefits for our members.

Article 4
JURISDICTION

4.1 The territorial jurisdiction of the District Council shall be as follows: The states of Arizona, Colorado, Wyoming, Southern Nevada including Clark, Lincoln, Nye and Esmeralda Counties, the city of Ely, Nevada, Southern Utah including the cities of St. George and Cedar City and the city of Needles, California. Territorial jurisdiction may be altered at any time by the General Executive Board in accordance with the International Constitution.

4.2 The work jurisdiction of the District Council shall be as set forth in Section 6 of the International Constitution and such other work as may be obtained and maintained through organizing and collective bargaining agreements.

4.3 All Local Unions of the International Union within the territorial jurisdiction of the District Council shall come under the jurisdiction of the District Council and shall be fully affiliated with the District Council.

4.4 “Full affiliates” or “fully affiliated” means paying full per capita tax and/or administrative dues check-off to the District Council, enjoying full voting rights and trade recognition, receiving advice and assistance from the principal officer and all other representatives and officers of the District Council in negotiating collective bargaining agreements and adopting Bylaws, merging all fringe benefit funds where it is beneficial to the participants to do so, and policing jobs and enforcing contracts on a District Council-wide basis.

Article 5
OFFICERS

5.1 The Officers of the District Council shall consist of a Business Manager/Secretary-Treasurer, President, Vice President, Warden and one Trustee from each fully affiliated Local Union.

BUSINESS MANAGER SECRETARY TREASURER

5.2 The Business Manager/Secretary-Treasurer shall be a full-time position and shall serve as an active full-time principal officer. The Business Manager/Secretary-Treasurer shall be an automatic trustee to any District Council Trust Funds and any Trust Funds established by Local Unions fully affiliated with the District Council; shall appoint (and have the power to remove) all Union Trustees to all Trust Funds of the District Council and all Trust Funds established by Local Unions fully affiliated with the District Council; shall have full charge of the business office(s) of the District Council and shall have authority to employ such employees and purchase and utilize such equipment and supplies as he or she deems necessary for the proper operation of such offices; shall maintain a current list of names and addresses of all members of all affiliated Local Unions; shall be spokesperson of the District Council negotiating committee(s); shall have the power to direct and supervise Business Representatives in the employ of the District Council in the performance of their duties and assign them to any territory or task irrespective of trade; shall have the power to appoint and set salaries and expenses for Business Representatives, organizers, field representatives or other staff and direct them in the performance of their duties; and shall serve as a delegate to and act as principal representative of labor on the Joint Trade Board(s), if established by collective bargaining agreement, and appoint all other delegates to the Joint Trade Board(s). The Business Manager/Secretary Treasurer shall have such other duties and authority as specified in the International Constitution or these Bylaws.

The Business Manager/Secretary-Treasurer is authorized to make expenditures to pay salaries and benefits of District Council employees and to purchase office equipment and supplies, to pay all obligations owed to the International Union, and to pay recurring expenses previously authorized by the Council of Delegates. The Business Manager/Secretary-Treasurer also is authorized to make such expenditures as he or she deems appropriate to promote

and protect the interests of the membership, provided that any such expenditures exceeding \$10,000 must be approved in advance by the Council of Delegates and provided that such expenditures are not prohibited by resolution adopted by the Council of Delegates. The Business Manager/Secretary-Treasurer must also present to the Council of Delegates for their approval, a copy of the check registry of all expenditures of all District Council bank accounts since the last District Council Delegates meeting.

The Business Manager/Secretary-Treasurer shall be responsible to the District Council, the affiliated Local Unions, and the General President for results in organizing the jurisdiction of the District Council, for establishing working relations with employers, and for protecting the jurisdiction of the International Union of Painters and Allied Trades.

The Business Manager/Secretary-Treasurer at his or her sole discretion shall be permitted to reduce or increase the number of Business Representatives as financial conditions of the District Council may dictate.

The Business Manager/Secretary-Treasurer shall take and maintain accurate minutes of District Council meetings and forward same to all affiliated Local Unions and to all delegates to the District Council and to the General Secretary-Treasurer. At a minimum, the minutes shall contain the following:

- (1) A listing of the District Council Delegates and Officers who were present or absent at each meeting, as well as a list of all members and guests in attendance,
- (2) A description of each item of business conducted at the meeting, which shall note all motions made and the disposition of each.

The principal officer shall also keep a roll-call record book to record the presence or absence of all delegates and officers of the Council at meetings.

The Business Manager/Secretary-Treasurer or his or her designee shall appoint all Shop and Job Stewards. Stewards are charged with the responsibility to insure that the International Constitution, the District Council bylaws, Working Rules and provisions of the collective bargaining agreement are enforced. It shall be the duty of the Stewards to see that all persons have their working cards, and to contact the District Council immediately if there should be any irregularity.

The Business Manager/Secretary-Treasurer shall appoint from among the members of all affiliated Local Unions the following standing Committees: Bylaws Committee; Organizing Committee; Political Action Committee; Building Committee; Retirees Committee and Community Organizing for Real Economics Committee. All other Committees of the District Council shall be appointed by the President or as otherwise set forth in the District Council Bylaws.

When any question arises respecting the construction or interpretation of the District Council Bylaws, the Business Manager/Secretary-Treasurer shall, in the first instance decide any such question subject to the approval of the Council of Delegates. If the Council of Delegates takes no action in respect to such interpretation at the next meeting after it is made, the same shall be deemed approved by the Council of Delegates.

Salary and Benefits of the Business Manager/Secretary Treasurer

(a) The salary of the Business Manager/Secretary Treasurer shall be 10% higher than that of the highest paid Business Representative for sixty hours.

(b) The Business Manager/Secretary Treasurer shall receive the equivalent of ten (10) hours of wages at the Local 159 Journeyman Painter straight time wage per week for expenses.

(c) Health & Welfare Insurance specified in their Local Collective Bargaining Agreements. In the event the District Council adopts a Council wide Health and Welfare Plan, the contributions will then be paid to the District Council Plan.

(d) Pension Contributions shall be paid in the amount(s) specified in the individuals home (craft) Collective Bargaining Agreement and payable to either the IUPAT Industry Pension Plan or the Pension Plan(s) specified in his or her Local Union Agreement or divided between both as determined by the individual.

(e) Two weeks paid vacation per year.

(f) The salary of the Business Manager/Secretary Treasurer shall not be increased by payment of overtime or payment for accrued but not used vacation time.

(g) The District Council shall provide the Business Manager/Secretary-Treasurer with a vehicle which is appropriate for the purposes of promoting the District Council and its membership's business. The District Council shall be responsible for the costs associated with operating the vehicle.

PRESIDENT

5.3 It shall be the duty of the President to preside at all meetings of the Council of Delegates and conduct the meetings according to parliamentary rules, enforce a due observance of the International Constitution and these Bylaws at such meetings, decide all questions of order without debate, subject to an appeal to the meeting, and see that all Officers perform their respective duties faithfully during each meeting. The President shall sign all official documents that have been passed by the Council of Delegates. The President shall not take part in any debate, nor make or second any motion while occupying the chair. The President shall not vote on any motion except in case of a tie, when he or she shall have the deciding vote. The President shall appoint all committees, except as otherwise provided in the International Constitution or other provisions in these Bylaws.

VICE PRESIDENT

5.4 The Vice President shall assist the President in the performance of his or her duties and conduct the meetings in the President's absence.

WARDEN

5.5 The Warden shall take charge of the door at the meetings, and see that none but the delegates to the District Council in good standing and authorized representatives and guests, be admitted. He or she shall also act as Sergeant at Arms.

TRUSTEES

5.6 The District Council shall elect (1) Trustee from each fully affiliated Local Union of the District Council. The Trustees shall, immediately on election, elect one Trustee as Chairperson.

No District Council Trustee may be employed by the District Council.

On no less than an annual basis, the Trustees shall meet with the Independent Certified or Chartered Public Accountant to review the audit report upon its completion as required by Section 202(b) of the International Constitution.

The Trustees will subsequently render a report on the Audit to the District Council Delegates, with a copy of the Audit and report being forwarded to the office of the General Secretary-Treasurer. Further, the Trustees in fulfilling their duties as prescribed in Section 216(a) of the International Constitution shall be required to complete any and all forms and/or checklists issued by the General Secretary-Treasurer's office.

The Trustees shall have supervision over all funds and property of the Council.

The Trustees shall examine the cash receipts journal and cash disbursements journal as well as the bank records for each month to determine that all monies collected and disbursed have been properly accounted for. They shall also review the reconciliations of the District Council's bank statements to verify their balance. They shall see that all bonds, notes or other securities owned by the District Council are properly secured in an appropriate depository in the District Council's name. They shall instruct the officers of the bank to pay no money nor cash any bonds, notes or other securities on account of the District Council except on an order or check signed in accordance with the Constitution. They shall verify that expenditures have been made in strict compliance with the Constitution.

At the end of each fiscal quarter the Trustees shall jointly fill out the quarterly checklist of the trustees and forward the original copy to the office of the General Secretary –Treasurer and District Council Business Manager/Secretary – Treasurer. They shall examine the membership records of the District Council so as to ascertain the membership at the close of each month and shall compare their findings with the duplicates of the reports of the Business Manager/Secretary Treasurer to the General Office to see if the District Council is paying tax on the proper number of members and if all suspensions, reinstatements, initiations, admissions of members on clearance cards and other changes in membership of the District Council and its affiliates have been properly reported.

In lieu of the required quarterly checklist and other duties of Trustees set forth above, District Councils may submit to the office of the General Secretary-Treasurer a quarterly, semi-annual, or annual financial statement prepared by an independent accountant. The financial statement is to be reviewed and signed by the Trustees prior to submission to the General Secretary-Treasurer and District

Council Business Manager/Secretary –Treasurer. The Trustees shall report to the membership on the essential elements of the financial statement.

The Trustees shall see that the Business Manager/Secretary –Treasurer, and other officers, representatives and employees required to be bonded are bonded in the manner and in the amount required by law, but not for less than \$2,500.00, sufficient to thoroughly protect the funds of the District Council and its affiliates and when directed by the District Council the Trustees shall file bonds in such amounts as the District Council shall require.

Article 6 EXECUTIVE BOARD

6.1 The Executive Board of District Council 15 shall consist of the Business Manager/Secretary-Treasurer, President, Vice President, and Trustee Chairperson of the District Council in addition to one duly elected delegate from each fully affiliated Local Union.

6.2 The Executive Board shall be vested with the authority of recommendation only, unless specifically authorized by the Council of Delegates; provided, however, that during the interim between Council meetings the Board shall be authorized to act for the District Council in cases of emergency.

6.3 The Executive Board shall meet prior to all District Council meetings and at other times as deemed necessary by the Business Manager/Secretary-Treasurer and/or President.

6.4 Seven members of the Board shall constitute a quorum for the transaction of business.

Article 7 BUSINESS REPRESENTATIVES

7.1 It shall be the duty of the District Council's Business Representatives to render such assistance to the Business Manager/Secretary-Treasurer as he or she may require and, under his or her direction, to carry out their assigned functions. Business Representatives shall also be subject to assignment in accordance with Section 45 of the International Constitution.

7.2 The minimum salary of Business Representatives shall be the Foreman Rate of the Collective Bargaining Agreement from their home Local Jurisdiction.

Local Union 79 – Industrial Painter Foreman Rate for 40 hours.

Local Union 86 – Industrial Painter Foreman Rate for 40 hours.

Local Union 159 – Painter Foreman Rate for 40 hours.

Local Union 419 – Floor Coverer Foreman Rate for 40 hours.

Local Union 930 – Glazier Foreman Rate for 40 hours

Local Union 1512 – Floor Coverer Foreman Rate for 40 hours.

Local Union 2001 – Master Glazier Foreman Rate for 40 hours.

7.3 Business Representatives shall receive the equivalent of ten (10) hours of wages at the Local 159 Journeyman Painter straight time wage rate per week for expenses which includes auto expense.

7.4 Each Business Representative shall provide their own vehicle.

7.5 FRINGE BENEFITS

The Business Representatives shall receive:

(a) Health & Welfare Insurance specified in their Local Collective Bargaining Agreements. In the event the District Council adopts a Council wide Health and Welfare Plan, the contributions will then be paid to the District Council Plan.

(b) Pension Contributions shall be paid in the amount(s) specified in the individuals home (craft) Collective Bargaining Agreement and payable to either the IUPAT Industry Pension Plan or the Pension Plan(s) specified in his or her Local Union Agreement or divided between both as determined by the individual.

(c) Two weeks paid vacation per year.

(d) Salaries of Business Representatives shall not be increased by payment of overtime or payment for accrued but unused vacation time.

7.6 District Council 15 shall, upon receipt of verified insurance coverage, reimburse the cost up to \$1,800.00 per year auto insurance. A minimum of \$300,000.00 in bodily injury liability and \$300,000.00 in property damage liability is required.

7.7 When any full-time employee of the District Council is required by work assignment to be away overnight on business of the District Council, said employee will be reimbursed for the actual cost of reasonable travel, reasonable hotel room and the amount of \$75.00 per day expense money. Under extenuating circumstances, additional daily expense may be granted by the Business Manager/Secretary Treasurer.

7.8 Delegates elected and/or appointed by this District Council to attend conventions or conferences etc, when away overnight shall in addition to wages lost (excluding overtime), receive the actual cost of reasonable travel, reasonable hotel room and the amount of \$75.00 per day expense money. Under extenuating circumstances, additional daily expense may be granted by the Business Manager/Secretary Treasurer.

Article 8
DUTIES AND AUTHORITY SUBJECT TO INTERNATIONAL UNION
POLICIES

8.1 The duties of all officers, Business Representatives and employees of the District Council shall be carried out, and their authority shall be exercised, in strict accord with the International Constitution; the policies and programs established by the International Union's General Conventions, by the General President, by the General Executive Board; these bylaws, and the policies established by the Council of Delegates.

Article 9
NOMINATIONS AND ELECTION OF DISTRICT COUNCIL
BUSINESS MANAGER/SECRETARY-TREASURER

9.1 The Business Manager/Secretary-Treasurer shall be elected at-large by the membership of all Local Unions affiliated with the District Council. All nominations for the office of Business Manager/Secretary-Treasurer shall be filed with the District Council.

9.2 Each Local Union may nominate any number of candidates for the office of Business Manager/Secretary-Treasurer; and a nominee need not be a member of the Local Union that nominates him or her.

9.3 Candidates nominated for the office of Business Manager/Secretary-Treasurer shall be eligible members in good standing of their Local Union, meeting the requirements of Section 227 of the International Constitution.

9.4 The notice of nominations and the ballot shall note that the Business Manager/Secretary-Treasurer shall also be an automatic delegate to General Conventions, as per Section 224(b) of the International Constitution.

9.5 The term of office of the Business Manager/Secretary-Treasurer shall be four (4) years, commencing immediately upon certification of the election results by the Election Board.

Article 10
NOMINATIONS AND ELECTION OF DISTRICT COUNCIL
BUSINESS REPRESENTATIVES

10.1 There shall be no more than one Business Representative elected from each Local Union which is fully affiliated with District Council 15. The current affiliated Local Unions are Local Union's 79, 86, 159, 419, 930, 1512 and 2001.

10.2 The Business Manager/Secretary-Treasurer, at his or her sole discretion, shall be permitted to reduce or increase the number of Business Representatives as financial conditions of the District Council may dictate.

10.3 The Business Representatives shall be elected at-large by the membership of all Local Unions fully affiliated with the District Council.

10.4 Fully affiliated Local Unions entitled to Business Representative(s) under Section 10.1 shall nominate candidates for Business Representative(s) from among their respective eligible members. The Business Representative nominees must be eligible members in good standing of their Local Union, meeting the requirements of Section 227 of the International Constitution.

10.5 The term of office for elected Business Representative(s) shall be four (4) years and they shall be elected in the same year as the Business Manager/Secretary-Treasurer. The term of the Business Representatives shall commence immediately upon certification of the election results by the Election Committee.

10.6 The notice of nominations and the ballot shall note that the Business Representative(s) shall also be an automatic delegate to the District Council.

Article 11

ELECTION COMMITTEE: ELECTION PROCEDURES

11.1 The President of the District Council shall appoint in January of each election year, an Election Committee from among the regular delegates. This Committee shall supervise the election of Business Manager/Secretary-Treasurer and Business Representatives in accordance with these Bylaws and in accordance with the International Constitution's election provisions. The Committee shall draft rules governing the election. The President shall also be permitted to appoint assistants from the membership of the Council to help the Committee conduct the election.

11.2 The Election Committee and assistants shall receive compensation in the amounts established by the delegates of the District Council.

11.3 The election of the Business Manager/Secretary-Treasurer and Business Representative(s) employed by the District Council shall take place in June of each election year as per Section 225(b) of the International Constitution. Nominations shall take place in the Local Unions' last meeting in May. Notice of the Local Unions' nomination meetings, and the election meeting, shall be given by the Business Manager/Secretary-Treasurer by mail posted to the last known home address of all members at least five (5) days prior to the nomination dates and at least fifteen (15) days prior to the election date. Secret ballots shall be cast at such date, times, and locations as shall be established by the Election Committee. Each candidate may designate one election observer to remain in the polling place. No other persons shall be allowed to remain in the polling place(s) except members of the Election Committee and the Committee's assistants.

11.4 At the polling place, the Financial Secretary of each affiliated Local Union shall verify that each of its members who votes is in good standing.

11.5 The Election Committee shall have ballots with numbered tear-off stubs and with the names of candidates printed alphabetically along with their Local Union number. Candidates for Business Manager/Secretary-Treasurer and for Business Representatives for each Local Union entitled to a Business Representative under

Section 10.1, respectively, shall be separately grouped and listed on each ballot. Each ballot shall clearly state the number of candidates to be voted for within each grouping. Voting machines may be used in lieu of paper ballots, provided candidates are listed as stated above.

11.6 The candidates receiving the highest number of votes in each grouping shall be officially certified by the Election Committee as having been elected to the offices of Business Manager/Secretary-Treasurer and Business Representatives.

11.7 The Election Committee shall tabulate the vote as cast and shall immediately submit a report thereon to the District Council.

Article 12 VACANCIES

12.1 All Vacancies shall be filled in accordance with Section 231 of the International Constitution.

Article 13 NOMINATION AND ELECTION OF AFFILIATED LOCAL UNION OFFICERS AND DELEGATES

13.1 The nomination and election of Local Union Officers, Local Union Executive Board members and Local Union Delegates to this District Council shall be held in accordance with Sections 180 through 183 of the International Constitution.

13.2 Delegates to the District Council shall be elected by all fully affiliated Local Unions on the following basis:

- 0 to 500 working members...4 Delegates
- 501 to 1,000 working members...5 Delegates
- 1,001 or more working members...6 Delegates

Delegate counts for each Local Union shall include Automatic Delegates.

The term of District Council Delegates shall be four (4) years, they shall be elected in the same year as the Business Manager/Secretary-Treasurer and Business

Representatives in accordance with the provisions of Sections 180 through 183 of the International Constitution and their terms shall commence immediately upon certification of the election results by the Election Committee.

13.3 To be entitled to elect delegates, each affiliated Local Union is required to be current in its payment of per capita tax to the International Union and the District Council.

13.4 The eligibility and election of delegates shall be as set forth in Section 181 of the International Constitution. Credentials for elected delegates must be forwarded by Local Unions to the District Council. Each delegate shall be entitled to one vote at District Council meetings.

Article 14

NOMINATION AND ELECTION OF PRESIDENT, VICE PRESIDENT, TRUSTEES, WARDEN, AND DELEGATE MEMBERS OF THE EXECUTIVE BOARD

14.1 The President, Vice President, Trustees, Warden, and other members of the Executive Board shall be nominated, and elected by secret ballot, by the delegates of the District Council within thirty (30) days after the general District Council elections every four (4) years. The term of each office shall be four (4) years.

Article 15

FINANCES

15.1 The revenue of the District Council shall be derived as follows:

(a) From Administrative Processing Fees shall be in the amount(s) set forth in Sections 93 and 94 of the International Constitution. The Administrative Processing Fees may be waived or reduced by the District Council in connection with the organization of unorganized employees, or otherwise in special circumstances, with the approval of the Business Manager/Secretary Treasurer;

(b) Non-working members (including Retirees and Life Members) and working members that fail to meet the minimum hours requirements that are set in their Local Union Bylaws shall pay the minimum window dues as set forth in their Local Union Bylaws;

(c) Monthly administrative dues are hereby established in the amount of 3% of gross wages earned in any given month for each affiliated Local Union. The Business Manager/Secretary-Treasurer may establish a lower percentage of administrative dues for members in specialty bargaining units.

(d) When a member works outside the jurisdiction of this District Council and within the jurisdiction of another Local Union or District Council affiliated with the International Union, and the Bylaws of that other Local Union or District Council make provision for administrative dues, the member shall pay to that other Local Union or District Council, either directly or by check-off, the amount of administrative dues.

When a member works outside the jurisdiction of this District Council and within the jurisdiction of another Local Union or District Council affiliated with the International Union, and the Bylaws of that other Local Union or District Council make no provision for administrative dues, the member shall continue to pay to this District Council, either directly or by check-off, the amount of administrative dues provided in the first sentence of this sub-section.

(e) Assessments may be levied in accordance with Section 194 of the International Constitution.

(f) The District Council shall establish a District Council Organizing Fund in accordance with Sections 194(g),(h) and (i) of the International Constitution.

Any existing Local Union Organizing Fund(s) shall be transferred to the District Council Organizing Fund.

The following amount per hour (or percentage of gross wages) is hereby added to the administrative dues check-off called for in Section (c) above: Local Union 79, 1% of gross wages, Local 86 to be funded at a later date, Local Union 419, 2% (apprentice and trade workers 0.5%) of gross wages, Local Union 930, 1% of gross wages, Local Union's 159, 1512 and 2001 as outlined in the individual Master Labor Agreements (LU 159 Downtown Construction Agreement \$0.40 per hour paid; LU 1512 All members except Material Handlers: \$0.25 per hour paid; LU 2001 All members: \$0.25 per hour paid). These amounts may be increased by allocations ratified by the members in collective bargaining or special called meetings for the purpose of increasing contributions to the District Council Organizing Fund. This additional revenue shall be placed in the District Council Organizing Fund. The Business Manager/Secretary-Treasurer shall determine how

these funds are expended, provided such funds may only be spent for the purpose of organizing.

15.2 The finances of the District Council shall be maintained, and appropriations of District Council funds shall be made, in accordance with Sections 202 through 208 of the International Constitution. All funds of the District Council shall be audited at least once annually by a certified public accountant; and copies of the audit report shall be submitted to the District Council delegates, each affiliated Local Union, and the International Union. Such audit shall be done in accordance with Section 202(b) of the International Constitution.

15.3 In addition to the amounts set forth in Article 15.1, each Local Union may establish its own regular dues rate, subject to the provisions set forth in Sections 93 and 94 of the International Constitution, to produce income sufficient to pay its Officers, hold its meetings, and otherwise conduct its affairs.

Dues Collection and Membership Reporting Plan

15.4(a) This Article is adopted pursuant to the Alternative Dues Collection and Membership Reporting Plan (“the Plan”) promulgated by the General Secretary-Treasurer pursuant to Section 55(c) of the International Constitution. In accordance with the Plan, this Article shall apply to, and govern; any affiliated Local Union, which has adopted it pursuant to its Local Union Bylaws. All funds received and disbursed pursuant to this Article (whether on behalf of the District Council or participating Local Unions) shall be subject to all audit procedures applicable to the District Council under the International Constitution and/or these Bylaws.

(b) All administrative processing fees, dues and assessments payable to Local Unions by applicants and members of all Local Unions affiliated with the District Council shall be collected and received by the Business Manager/Secretary-Treasurer of the District Council or by designated staff working under the direction and supervision of the Business Manager/Secretary-Treasurer. Upon receipt of any payment, the Business Manager/Secretary-Treasurer shall issue a receipt for the same to the applicant or member, and shall record the receipt in an account for the applicable Local Union and in the individual member’s ledger for each member.

(c) At the end of each month, the Business Manager/Secretary-Treasurer shall deduct from the dues received for each affiliated Local Union (i) the per capita tax

payable to the International Union, (ii) the per capita tax payable to the District Council, (iii) any monies due from the Local Union to any other IUPAT affiliated entity.

(d) As soon as possible, but no later than ten (10) days after the end of each month, the Business Manager/Secretary-Treasurer shall transmit the monies due from each Local Union to the International Union, the District Council and any other appropriate entity.

(e) The District Council shall retain all dues monies collected and pay all reasonable and necessary Local Union expenses.

(f) The per capita payment to the International Union shall be directed to the General Secretary-Treasurer and shall be accompanied by all Local Union reports required by the General Secretary-Treasurer, including the Monthly Activity Report required by Section 165(b) of the International Constitution and the Local Union Activity Report required by 165(e) and Section 166(b) of the International Constitution. Checks for per-capita tax shall be made payable to the International Union of Painters and Allied Trades (IUPAT).

(f) Each Local Union Financial Secretary shall receive copies of all reports required to be made to the General Secretary-Treasurer, and a detailed report stating (i) the total receipts collected on behalf of the Local Union in the prior month, (ii) the overall membership of the Local Union, with gain or loss of membership noted, the number and names of members on application and those initiated, the number and names of members suspended and reinstated, and the names and number of clearance cards deposited and issued, (iii) a correct account of each member's financial standing together with the member's full name and address, social security and telephone number, date of birth and date of initiation.

(g) In order to fully and properly carry out his or her responsibilities under this Section the Business Manager/Secretary-Treasurer shall have authority to establish a procedure (i) for collection of dues by mail or other appropriate means and (ii) for reporting changes of member's addresses and contact information by mail or other appropriate means. The Business Manager/Secretary-Treasurer may authorize the Local Union Financial Secretary to receive dues payments and membership information from members, provided that such system requires that all dues received by the Financial Secretary shall be transmitted to the Business Manager/Secretary-Treasurer within 5 days, and further provided that when the Financial Secretary receives dues payments from members he or she must provide the member with a temporary receipt (such receipt will indicate the amount received and the date only, and shall not indicate dues status. The official receipt from the District Council will indicate that information.), a copy of which shall be

transmitted to the Business Manager/Secretary-Treasurer with the payment and a copy of which shall be retained by the Financial Secretary.

(h) In carrying out his or her responsibilities under this Section, the Business Manager/Secretary-Treasurer shall be subject to and shall comply with all the provisions of the International Constitution, including but not limited to Sections 165 through 171, governing the duties of Local Union Financial Secretaries and Treasurers.

(i) The Business Manager/Secretary-Treasurer's duties shall include the filing of Life Membership Applications, Death Benefit Claims, Armed Services Cards, Clearance Cards, Beneficiary Cards, etc. The Business Manager/Secretary-Treasurer shall also be responsible for the preparation of Local Union LM and 990 forms and filing same. The Business Manager/Secretary-Treasurer shall secure the signatures of the proper Local Union officers on the LM or 990 forms, after presenting those officers with all supporting documentation for these reports.

(j) The Business Manager/Secretary-Treasurer shall also perform the functions of the Local Union Treasurer, under Section 171 of the International Constitution, and shall provide the Treasurer with such reports as are called for in the affiliated Local Union bylaws for the Treasurer to report out at Local Union meetings. In carrying out these responsibilities, the Business Manager/Secretary-Treasurer shall be authorized to establish a bank account in the name of each participating Local Union (or move existing Local Union accounts), provided that no disbursement from such account shall be made without the sanction of the Local Union and the required signatures of the appropriate Local Union officers on the checks.

(k) The Local Union Trustees shall audit the Business Manager/Secretary-Treasurer's records as they pertain to their particular Local Union on a quarterly basis as per Sections 172 through 175. In lieu of the trustees auditing the Business Manager/Secretary-Treasurer, it is permissible for the trustees to review an unqualified audit performed by a Certified Public Accountant (CPA) or Chartered Accountant. Such review will be done with the accountant to explain the report. Copy of such report is to be sent to the General Secretary-Treasurer.

(l) Notwithstanding anything to the contrary in this Article, the Business Manager/Secretary-Treasurer and all other officers of the District Council and all participating Local Unions shall comply with all provisions of the Plan, as amended from time to time by the General Secretary-Treasurer.

(m) This District Council and all affiliated Local Unions shall use the IUPAT Integrated Membership System (IMS) computer system or other system approved by the General Secretary-Treasurer for dues collection, member records, and member activity, no later than January 1, 2014.

(n) The Business Manager/Secretary-Treasurer may designate any affiliated Local Union to continue to have all records, dues, and reporting done by the Local Union Financial Secretary and Treasurer in accordance with their duties in sections 165 through 171. This process can continue as long as the Local Union is timely and accurate with all reporting and per capita payments to the General Secretary-Treasurer's office. The Business Manager/Secretary-Treasurer will verify annually that all the membership records and financial records of the Local Union are accurate and correct, and that all reporting and per capita payments have been made on time in accordance with the IUPAT constitution. The Business Manager/Secretary-Treasurer shall also verify that all LM, 990, or other required government forms have been processed and filed by the Local Union. If the Local Union fails to maintain these standards, the District Council Business Manager/Secretary-Treasurer will decide what course of action will be taken.

15.5 Each Local Union upon affiliating with this District Council shall retain an amount equal to three months per-capita tax to the IUPAT of its Local Union treasury. All remaining monies, real estate, and assets shall be turned over to the District Council upon affiliation. The Council of Delegates has the authority to increase the minimum amount retained by each Local Union based on demonstrated need for additional funds.

15.6 Prior to full affiliation and adoption of the Dues Collection Plan, Individual Local Union's maintained and contributed to various Local Union Funds. The Local Union funds shall be transferred to District Council funds which shall be maintained by the District Council in the manner that they were maintained prior to adoption of the Dues Collection Plan. The individual Funds are as follows:

(a) For all Colorado Local Unions, the District Council shall maintain a Death Fund and a Sick Fund. Contributions to each fund are derived as follows:

(1) All applicants for membership in any Colorado Local Union affiliated with the District Council or any member who transfers into any Colorado Local Union affiliated with the District Council shall pay the sum of sixteen dollars (\$16.00), which shall be placed in the District Council Colorado Death Benefit Fund. In addition one dollar (\$1.00) per Colorado Local Union Member per month shall go to the Colorado Death Benefit Fund from the District Council General Fund for all Colorado Local Union Members in good standing. Upon the death of a Colorado Local Union Member in good standing, a death benefit shall be deducted from the Colorado Death Benefit Fund to pay the benefit to the beneficiary of the deceased as designated on the beneficiary card of the

International. The amount shall be determined by the Trustee's at the April meeting each year.

(2) Colorado Sick Fund: One Dollar (\$1.00) per Colorado Local Union Member per month shall go to the Colorado Sick Fund from the District Council General Fund for all Colorado Local Union Members in good Standing. The Colorado Death Benefit Fund shall be administered by the District Council Executive Board. Eligibility for benefits from the Colorado Sick Fund are determined as Follows:

(A) Applicants must file a Sick Benefit report with the Business Manager/Secretary Treasurer, on reporting forms furnished by the District Council.

(B) To be entitled to Sick Benefit payments, the member must notify the Business Manager/Secretary Treasurer of said sickness or accident, no later than thirty (30) days after occurrence.

(C) Applicant must be under doctors care.

(D) Life, and Non-Beneficial members not working full time at the trade are not eligible for sick benefits.

(E) The Sick Assessment Fund will be audited by the Trustees quarterly.

(F) No payment will be made for a reoccurrence of the same illness until six (6) months have elapsed.

(G) It shall be optional for shop owners to participate, if they are a dues paying member.

(H) A member must be off five (5) working days before a claim is valid. Starting the sixth (6th) working day, Ten Dollars (\$10.00) per day shall be paid.

(I) Twenty-five (25) working days shall be the limit of payment.

(b) The District Council shall maintain - Life Insurance Program for Local Union's 86, 159, 1512 and 2001. Contributions to the Program are outlined in the individual Local Union Bylaws. Any other District Council affiliated Local Union's shall have the option to participate in this Program provided that their Local Union Bylaws are amended accordingly.

15.7 Political Action Funds:

(a) Any existing Local Union Political Action Funds shall be transferred to the District Council Political Action Fund for contributions to Political Parties and Candidates. The District Council shall maintain separate accounting on behalf of each Local Union that the District Council receives said contributions.

(b) The Business Manager is authorized and directed to pay, each month, to the International Union of Painters and Allied Trades Political Action Together Legislative and Education Committee Fund, five cents (\$.05) per hour per all monies received that month as administrative dues. This section shall constitute a continuing and regular appropriation of District Council funds.

(c) It shall be the goal of the District Council to solicit authorizations from the Members of the District Council for withholding \$0.05 per hour from wages which shall be transferred each month to the International Union of Painters and Allied trades Political Action Together Political Contribution Fund.

(1) Local Union 2001 currently has PAC Fund withholdings in the amount of \$0.07 per hour paid of which \$0.05 per hour is transferred each month to the International Union Political Action Together Political Contribution Fund. The additional \$0.02 per hour paid is transferred to the District Council Political Action Fund in accordance with sub-section (a) above.

Article 16 MEMBERSHIP

16.1 An applicant shall be considered a member upon meeting all requirements set forth in Sections 85-92 of the International Constitution.

16.2 A member may lose his or her good standing in the organization by suspension or expulsion or other disqualification from membership after appropriate proceedings consistent with provisions of these Bylaws and the International Constitution, or by nonpayment of regular or administrative dues as provided by the International Constitution. A member who loses his or her good standing because of a failure to pay dues or other obligations as required by the International Constitution and these Bylaws may reinstate his or her good standing for the purpose of attending Local Union meetings and voting at elections by payment of all delinquent dues and other financial obligations prior to such meetings and elections as provided by the International Constitution. Expelled members may be reinstated only in accordance with the International Constitution.

16.3 Every member, by virtue of the member's membership in a Local Union affiliated with the District Council, authorizes the District Council to act as his or her exclusive bargaining representative with full and exclusive power to execute agreements with the member's employer governing terms and conditions of employment and to act for the member and have final authority in representing,

processing and adjusting any grievance, difficulty or dispute arising under any collective bargaining agreement, or out of his or her employment with such employer in such manner as it deems within its discretion to be in the best interests of the District Council. The District Council Officers, Business Representatives and agents may decline to process any grievance, complaint or dispute if, in their sole discretion and judgment, such grievance, complaint or dispute lacks merit.

16.4 Every member, by virtue of his or her membership in a Local Union affiliated with the District Council, is obligated to adhere to and follow the terms of these Bylaws, the Bylaws of their Local Union and the provisions of the International Constitution with respect to their rights, duties, privileges and immunities. Each member shall faithfully carry out such duties and obligations and shall not interfere with the rights of other members.

16.5 No member shall interfere with the elected officers or authorized representatives of this organization, the International Union or its subordinate bodies, in the performance of their duties, and each member shall, when requested, render such assistance and support in the performance of such duties as may be required of them, provided this does not interfere with the individual's right as a member. Each member shall adhere to the terms and conditions of pertinent collective bargaining agreements and shall refrain from conduct that would interfere with the performance by the International Union, its subordinate bodies, or the District Council of its legal, contractual, and Constitutional obligations.

16.6 Every member shall be required to assist the District Council and its subordinate bodies, by engaging in picketing, hand billing, salting and other organizing activities, and attending education and training and seminars, as directed and assigned by the District Council's Executive Board, Business Manager, Business Representatives or Local Union Officers. No Charges shall be filed or processed against any member for his or her decision to accept employment with an approved, targeted non-signatory employer for the purpose of organizing.

16.7 Every member, by virtue of his or her membership in a Local Union affiliated with the District Council shall be obligated to serve picket duty or participate in other organizing, political action or community service activities when called upon. Members shall be selected in a fair and equitable process. Once every member has met his or her obligation, the District Council shall start the process over again. Members willfully avoiding their obligations may be fined

one days wages, which must be paid within fifteen (15) days. Members will be contacted by phone and/or mail. It is acceptable for a member to arrange for and have another member serve in their place. It will be attempted, when possible, to use the out of work list first to supply the necessary people. It is not the intent of this article to place an undo travel burden upon those selected to perform picket duty and every effort shall be made to select members in the area where picketing or other activity will be performed.

Article 17

QUARTERLY WORKING CARDS AND WORK REFERRALS

17.1 Quarterly working cards shall be issued by the District Council. The working card shall not be issued unless such card is paid for in advance for the full quarter.

17.2 In order to properly identify members of the District Council, identification cards shall be issued to its members. The identification card shall include the members' picture, each training certification or awareness course that the member has completed and other information as designated by the Council. The identification cards shall use a unique District Council Identification Number and shall not use any Identification Number issued by a Federal, State or Local Governmental Agency.

17.3 It shall be the duty of all members to carry their working cards at all times. Failure to comply may subject the member to charges, trial and such penalties as the District Council may decide.

17.4 All members must show their working cards and/or work referrals when requested to do so by a member of any Local Union affiliated with the District Council, provided the requesting member displays his or her card. The member shall be required to show his or her working card and/or work referral when requested to do so by an authorized representative of the District Council, provided the representative displays his or her card.

Article 18

MEETINGS

18.1 Regular meetings of the District Council shall be held quarterly. The regular meetings of the District Council shall be the second Saturday of the first month of each quarter. Meetings shall be opened at 10:00 a.m. promptly and shall be held at the District Council 15 Office in Henderson, Nevada. The Business Manager/Secretary-Treasurer has the authority to reduce the number of District Council meetings as necessitated by financial restraints, however there shall be no fewer than two District Council meetings held annually.

18.2 A quorum shall consist of four of the affiliated Local Unions having representation at the meeting.

18.3 Special meetings may be called by the Business Manager/Secretary-Treasurer and President acting jointly, or upon written request of delegates representing at least two-thirds of the affiliated Local Unions provided that notice of date, time and place of such meetings is given to all delegates of all affiliated Local Unions at least 48 hours in advance of the meeting.

18.4 Only duly elected and credentialed delegates and representatives of the Council may attend Council meetings, unless invited or granted permission by the body. The Business Manager/Secretary-Treasurer shall keep a roll call record book to record the presence or absence of all credentialed delegates and Officers of the Council at meetings. The seat of any delegate or Officer that is absent from three (3) consecutive meetings without reasonable excuse shall be declared vacant and the vacancy shall be filled in accordance with these Bylaws.

18.5 The Business Manager/Secretary-Treasurer shall take and maintain accurate minutes in accordance with Section 213(e) of the International Constitution, and forward the same to all affiliated Local Unions and delegates to the District Council. A copy of the minutes shall be sent to the International Union.

18.6 Meetings of the District Council shall be conducted and governed by the "Order of Business" and the "Parliamentary Rules and Rituals" set out in the International Constitution.

Article 19 WORK RULES & GENERAL RULES

19.1 In accordance with Section 85(e) of the International Constitution, all new members of this District Council must attend a new member orientation class offered by the District Council within 90 days of being initiated. This orientation class should be offered periodically by the District Council and should include but not be limited to presentation of benefit plan descriptions, bylaws, collective bargaining agreements, COMET class and information on union meetings and officers.

19.2 All apprentice members of this District Council shall serve 2 days annually as District Council activists. These days will not conflict with days worked under an IUPAT collective bargaining agreement. The activities must be sanctioned and supervised by the District Council. Activities may include, but not be limited to Organizing, PATCH Fundraising, Political Member Mobilization and Community Outreach. Activist days will not count toward required apprenticeship classroom training. These activist days are in addition to any duty associated with obligatory organizing activity called for by these bylaws for all members.

19.3 In recognition of the fact that each District Council's strength in negotiations comes in large measure by its ability to supply highly skilled, responsible workers to employers, it shall be the duty of all members to render a fair days work in workmanlike manner. Any member, who is terminated for cause, three times within a twenty-four month period, from a position under a District Council collective bargaining agreement, shall be subject to charges. Unless the Trial Board finds exceptional circumstances, the penalty shall be expulsion from membership.

In cases where the terminations resulted strictly from lack of skills, the Trial Board may require the member to attend journeyperson upgrade training classes in lieu of expulsion. For members whose termination was a result of falling in the category of dispensated member as defined by Section 102 of the IUPAT Constitution, the Trial Board may recommend that Section 102 be implemented in lieu of expulsion.

19.4 Work rules are established in Local Union By-Laws and Collective Bargaining Agreements.

Article 20 STEWARDS

20.1 Shop and job stewards shall be appointed by the Business Manager/Secretary-Treasurer or his or her designee.

20.2 Stewards are charged with the responsibility of notifying the Business Manager/Secretary Treasurer or his/her designee of any potential violations of the International Constitution, these Bylaws and/or the collective bargaining agreement.

20.3 It shall be the duty of the shop and job stewards to see that all persons have their working cards and to contact the District Council immediately if there should be any irregularity.

20.4 All members serving as stewards shall be responsible for attending union meetings and assisting the District Council in activities including, but not limited to, Organizing, Political Member Mobilization, PATCH Fundraising, and Community Outreach.

Article 21 TRIALS AND APPEALS

21.1 The Executive Board of the District Council shall conduct all Trials of members of the International Union in this District Council who are formally charged with violations of the Constitution of the International Union, violations of the Working Rules, current Collective Bargaining Agreements or Bylaws of the District Council. The Trial Board shall be selected as per Section 290(b) of the International Constitution.

21.2 The Executive Board shall be governed in both Trials and Appeals by the procedure outlined in the applicable sections of the International Constitution of the International Union.

21.3 In the application of all rules and procedures relating to District Council discipline the essential requirements of due process of law - notice, hearing, and judgment based upon the evidence - shall be observed without, however, requiring technical formality followed in courts of law.

21.4 The requirements of the International Constitution and of fairness and due process will be attained by substantial adherence to the following:

(a) Charges must be filed within a reasonable time as specified in Section 291 of the International Constitution.

(b) Copies of all charges together with the notice of hearing shall be submitted in writing by Registered or Certified Mail to the last known address of the person charged at least fourteen (14) days prior to any trial or hearing.

(c) Details of the conduct or activity charged shall be described in the charges, giving dates, places and persons involved where possible.

(d) The Trial Board shall not include among its members any person who is in the role of an accuser.

(e) Either verbatim minutes, stenographic transcripts, or accurate summaries of the evidence shall be kept.

(f) The accused shall have the right to confront and cross examine witnesses giving testimony against him or her.

(g) The Trial Board shall give to the accused full opportunity to make his or her defense and to produce testimony or documentary evidence for that purpose.

(h) The decision of a Trial Board shall recite the facts which it finds to be true and shall also set forth the basis for the decision reached.

(i) All documents in the proceedings, as well as summaries of evidence or stenographic minutes, shall be preserved and kept available for use in further proceedings in the District Council.

(j) Every accusation must be supported by proof, even in the event that the accused does not appear.

21.5 Any Officer or member who commits any offense enumerated in the International Constitution shall be given an impartial trial, and if found guilty, shall be subject to penalties as set forth in the International Constitution.

21.6 Any Business Representative or Business Manager/Secretary-Treasurer of the District Council who is alleged to have violated the Constitution of the International Union, or these Bylaws, or who is alleged to have been negligent in the performance of his or her duties, may be subject to trial by the District Council. Such charges must be made in writing and signed by the complainant. If after an impartial trial, the accused is found guilty, he or she shall be subject to penalties as set forth in the International Constitution. If the accused is not satisfied with the result of the trial, an appeal may be made to the General Executive Board of the International Union.

21.7 All Appeals from the District Council Executive Board, acting as Trial Board, must be made directly to the General Executive Board of the International Union in accordance with Sections 307 and 308 of the International Constitution.

Article 22

BONDS

22.1 Officers of the District Council and its affiliated Local Unions shall be bonded in accordance with Section 209 of the International Constitution.

Article 23

STRIKES

23.1 Procedures regarding Strikes and Lockouts shall be handled in accordance with Sections 276 through 280 of the International Constitution.

23.2 The Executive Board shall make themselves available at all times and they shall be, or they shall appoint, a Strike Committee prior to a strike or lockout.

23.3 All Journey-level members who are employed by an employer who is signed to an Interim Working Agreement binding the employer to the terms of the successor Collective Bargaining Agreement shall be assessed an amount to be determined by the Strike Committee and approved by the membership working under the terms of the respective agreement. Those members so working shall register with the Strike Committee for assignment in support of the Union and their Brothers and Sisters on Saturdays and Sundays.

(a) All monies received from the temporary working assessment shall be placed in a separate bank account and shall be dispersed by the Strike Committee to the members who are performing physical strike and picket duties as well as for expenses to the District Council or Local Union which are additional to normal expense during a strike or lockout.

(b) The Strike Committee may require written permission or re-dispatch for all members working under the terms of an interim agreement.

23.4 All affected members must register at a place determined by the Strike Committee on the first day of a strike or lockout.

23.5 Any member who fails to register or refuses to register as required by these rules may be cited to appear before the Executive Board of the Council.

Article 24
PROPERTY

24.1 The funds and property of the District Council shall be governed by Sections 198-201 of the International Constitution.

Article 25
AGENCY

25.1 Neither the District Council, nor any of its Officers or employees, has any power to make any representation, contract, or agreement, nor to incur any liability, which shall be binding upon the International without the expressed written consent of the General President or his designee. Neither the District Council, nor any of its Officers or employees, has been authorized or empowered to act as agent of the International Union and shall not be deemed an agent of the International unless expressly authorized in writing by the General President or his designee.

Article 26
AMENDMENTS

26.1 All Bylaws amendments shall be processed, voted upon, and adopted in accordance with, and subject to, the provisions set forth in Section 194 of the International Constitution.

Article 27
STANDING COMMITTEES

27.1 The Business Manager/Secretary-Treasurer shall appoint from among the members of all affiliated Local Unions the following standing committees:

- (a) Bylaws Committee.
- (b) Organizing Committee.

- (c) Political Action Committee.
- (d) Building Committee.
- (e) Retirees Committee.
- (f) Community Organizing for Real Economics Committee.

Article 28
SAVINGS CLAUSE

28.1 The provisions of these Bylaws relating to the payment of dues, assessments, fines or penalties, shall not be construed as incorporating into any union-security contract those requirements for good standing membership which may be in violation of applicable law, nor shall they be construed as requiring any employer to violate any applicable law. However, all financial obligations imposed by or under the International Constitution and these District Council Bylaws (and in conformity therewith) shall be legal obligations of the members upon whom imposed, and enforceable in a court of law.

28.2 If any provision of these Bylaws shall be declared invalid or inoperative by a competent authority of the executive, judicial or administrative branch of the federal, state, or provincial government, the Executive Board, subject to approval of the District Council, shall have the authority to suspend the operation of such provision during the period of its invalidity and to substitute in its place a provision which will meet the objections to its validity and which will be in accord with the intent and purpose of the invalid provision. If any article or section of these Bylaws should be held invalid by operation of law or by any tribunal of competent jurisdiction, the remainder of these Bylaws or the application of such article or section to person or circumstances other than those as to which it has been held invalid, shall not be affected thereby.