

CONSTITUTION  
(As amended November 2010)

PREAMBLE and MISSION STATEMENT

The members of the unions and worker organizations of Change to Win unite to renew hope, opportunity, and prosperity for American people and their families.

We believe that only by uniting millions more workers in a strong and innovative union movement can we ensure that work is valued and rewarded in America, hold global corporations and elected public officials accountable to working people, improve the services we provide to our communities, and create hope for a better future for our children and grandchildren.

We believe that uniting workers of every race, religion, ethnicity, gender, age, sexual orientation, ability, gender identity and expression, national origin and immigration status is the only way to realize the hopes and aspirations of all working people.

We believe that uniting workers' strength in each industry is key to building a democratic workers' movement that can change America.

We believe in uniting workers across national borders to eliminate poverty, raise and maintain living standards and security, and spread peace, justice and democracy here and around the globe.

To these beliefs, we pledge the full measure of our organizations to coordinated and united action in accord with the principles of this Constitution.

ARTICLE I  
NAME

This alliance shall be known as the Change to Win. It shall consist of affiliated national and international labor organizations and other labor organizations that are chartered by the alliance as provided by this Constitution.

## ARTICLE II OBJECTS AND PURPOSES

The Objects and Purposes of this alliance are to promote the coordination, cooperation and united action of its affiliated organizations to accomplish the following:

1. To unite working people for economic, political, and social justice.
2. To ensure that work and working people are valued and rewarded for playing a central role in creating economic well-being, political democracy and stable families and communities.
3. To raise working and living standards for all working people and to win paychecks that support a family; affordable, quality health care; a retirement with dignity; safe and healthful working conditions; and fairness at work through the unionization and united action of all workers in an industry, including industries where there is little union tradition.
4. To ensure equal opportunity and rights for all women and men of every race, religion, ethnicity, age, sexual orientation, ability, gender identity and expression, national origin and immigration status.
5. To provide for expanded economic and educational opportunities for workers and their families through training, apprenticeship, tuition programs and fair access to promotions at work, through support in the political process for public funding of a high quality educational system, and through the removal of barriers of discrimination.
6. To fight for fair treatment and legal protection for immigrant workers in this country.
7. To improve the quality of the services and products working people provide to our communities.
8. To coordinate workplace, political, and social action with worker organizations worldwide to establish cross-border standards for decent working and living conditions.

9. To cooperate and coordinate with worker organizations and other allies that may not be members of this alliance on behalf of the purposes set forth above.

10. To take all actions necessary and appropriate to furthering and achieving these goals on behalf of working people and their families.

### ARTICLE III AFFILIATED LABOR ORGANIZATIONS

Section 1. The International Brotherhood of Teamsters, Service Employees International Union, United Farm Workers and United Food and Commercial Workers International Union are affiliates of this alliance. This alliance shall be composed of additional national and international labor organizations and other labor organizations as may be determined by the Leadership Council. Affiliation shall require appropriate action as provided by the affiliate's constitution.

Section 2. The Leadership Council shall have the sole authority to issue additional charters and provide for the affiliation of labor organizations with the alliance. Labor organizations seeking affiliation must demonstrate that they meet minimum standards with respect to organizing, collective bargaining, political action and membership mobilization or indicate willingness to develop the necessary capacity in these areas.

Section 3. Each affiliate of this alliance agrees that it shall be bound by the terms of this Constitution and any decisions, policies, rules, standards or other directives issued in accord with its terms. In particular, each affiliate agrees that it shall not allow any dispute, issue or other matter subject to this Constitution to be submitted to, heard, decided or be the subject of any action by any other labor group or federation.

### ARTICLE IV CONVENTION

Section 1. The Leadership Council shall have authority to convene a Convention in accord with the provisions of this Article. Unless otherwise determined by the Leadership Council, the Convention shall have plenary power to

regulate and direct the policies, affairs and organization of the alliance. Any limitation on the issues to be considered by the Convention that may be determined by the Leadership Council shall be stated in the Convention Call.

Section 2. The Convention will be convened at such time and place as may be designated by the Leadership Council upon the recommendation of its Chair. The Secretary-Treasurer shall issue a Call for the Convention not less than ninety (90) calendar days prior to the date of meeting, unless otherwise directed by the Leadership Council.

Section 3. Each affiliated Labor Organization shall be entitled to one delegate for each 25,000 members (as defined in Article XI, Section 1) or major fraction thereof and to alternate delegates equal to at least one-half the number of delegates. In order to be entitled to representation at the Convention, an affiliate must have satisfied all financial obligations of membership in the alliance, including the payment of per capita tax, before the opening of the Convention.

Section 4. Each chartered state or regional labor alliance shall be entitled to one delegate and one alternate delegate. The members of the Leadership Council shall each be *ex officio* delegates to the Convention.

Section 5. The Chair, in consultation with the Leadership Council, shall establish such committees as are necessary to carry out the affairs of the Convention, including committees on credentials, rules and the constitution.

Section 6. All resolutions, constitutional amendments or appeals proposed by a chartered body of the alliance must be received by the Secretary-Treasurer thirty days prior to the Convention. The Leadership Council may present resolutions, constitutional amendments, appeals or other matters to the Convention at any time.

Section 7. The Chair of the Leadership Council shall preside over the Convention and may be assisted by a Parliamentarian.

Section 8. The Rules governing the preceding Convention shall be enforced from the opening of any Convention until new rules have been adopted by action of the Convention.

Section 9. At the discretion of the Chair, questions may be initially decided by voice vote, show of hands or division. A roll call vote shall be taken at

the discretion of the Chair, or upon the request of thirty percent of the delegates present, or upon the request of delegates representing thirty percent of the membership of the alliance by per capita. Any roll call vote shall be conducted by the Chair. The Chair shall first call upon the chair of the delegation from each national and international union in alphabetical order and shall announce the per capita votes entitled to be cast by the delegation. The delegation chair shall then announce the union's vote either as a bloc or as the delegation has determined. Each delegate from a chartered state or regional labor alliance shall be entitled to one vote. The Chair shall have discretion to end the roll call once the requisite number of votes have been cast to determine the pending matter.

Section 10. Unless otherwise specified, any action taken by the Convention shall take effect immediately upon adoption.

## ARTICLE V LEADERSHIP COUNCIL

Section 1. The Leadership Council shall be the principal governing body of this alliance between Conventions.

Section 2. The Leadership Council shall consist of the principal officers of the labor organizations affiliated with this alliance and three at-large members, plus such additional members as necessary to insure that each affiliate with a million members or more shall have two seats on the Leadership Council. Any such additional member shall be named by the affiliate in accord with its constitutional process. The at-large members shall be national officers of an affiliated union and shall reflect the race, color, religion, sex, age, physical ability, national origin, sexual orientation and gender diversity of the affiliated unions and of working men and women. The at-large members shall be elected by the other members of the Leadership Council and shall serve during the same term of office as the Chair and the Secretary-Treasurer. Any vacancies among the at-large members of the Leadership Council shall be filled in the same manner. Each principal officer may designate a representative on either a permanent or temporary basis who shall have full authority to act on his or her behalf.

Section 3. The Leadership Council shall meet at least four times each year at times and places set by the Chair. A quorum shall consist of a majority of the members of the Leadership Council both by number of Leadership Council members and per capita. All action by the Leadership Council shall be approved

by a vote based on a simple majority unless otherwise specifically provided elsewhere in this Constitution. In conducting all votes under this Constitution, the Leadership Council shall cast one vote per member of the Leadership Council unless a member calls for a per capita vote, in which case the vote shall be based on the per capita membership of each union within the Leadership Council. Per capita shall be based on a union's membership as defined in Article XI, Section 1, and shall be determined on the most recently paid per capita tax as certified by the Secretary-Treasurer.

Section 4. The Leadership Council may act by telegram, letter, telephone conference, electronic or other equivalent means of communication. The Chair or Secretary-Treasurer may obtain the approval of the Leadership Council by telegraphing, writing, telephoning or electronic or other communication to the members of the Leadership Council, and the members of the Leadership Council may take action on the matter brought to their attention in the same manner. Any action taken by means other than in-person meeting shall be confirmed at the next regular meeting of the Leadership Council.

Section 5. The members of the Leadership Council shall receive no compensation, except that they may be paid or reimbursed for expenses incurred in the performance of their duties.

Section 6. The Leadership Council is authorized to take all action and render all decisions necessary and appropriate to carry out the objects of this alliance, including the direction and management of the affairs of this alliance, and to enforce the provisions of this Constitution. This shall include the authority to make rules and policies to govern matters consistent with this Constitution. The Leadership Council shall, in particular, have the authority to:

- (a) Interpret this Constitution and any decisions, rules or policies issued pursuant to this Constitution.
- (b) Approve an annual budget for the operation of the alliance, including the budget for the Strategic Organizing Center.
- (c) Delegate, consistent with this Constitution, to any of its officers or agents any of the functions and powers herein set forth, except the power to fill vacancies in office.

Section 7. Should the number of labor organizations affiliated with the alliance increase to the point that the Leadership Council determines, in its sole judgment, that the Council has become an ineffective or unwieldy decision-making body, the Leadership Council shall have the authority, as provided in Article XVII (Amendments), to amend the Constitution to create a suitable smaller governing body, such as an Executive Board or Executive Committee, with such membership and authority as it deems advisable and to amend this Article, as the Leadership Council believes appropriate to serve the best interests of the alliance and its affiliates.

## ARTICLE VI OFFICERS

Section 1. The officers of the alliance shall consist of the members of the Leadership Council. The members of the Leadership Council shall select a Chair and a Secretary-Treasurer.

Section 2. The Chair and the Secretary-Treasurer shall be chosen by majority per capita vote of the Leadership Council from among its members at the time of the founding Convention and by the Leadership Council at each subsequent biennial regular Convention. Any vacancy in the positions of Chair, Secretary-Treasurer or the at-large members shall be filled by the Leadership Council by majority per capita vote.

Section 3. Officers shall receive no compensation, except that they may be paid or reimbursed for expenses incurred in the performance of their duties.

## ARTICLE VII CHAIR

The Chair shall be the chief executive officer of the alliance. The Chair shall supervise the affairs of the alliance, sign all official documents, and preside over all meetings.

## ARTICLE VIII SECRETARY-TREASURER

The Secretary-Treasurer shall be the chief financial officer of the alliance. The Secretary-Treasurer shall be responsible for receiving and collecting all moneys due the organization, for notifying the Leadership Council of scheduled meetings, for keeping minutes of all meetings and other actions of the Convention and Leadership Council, and for maintaining all monies, books, records, files and other documents of the alliance. The Secretary-Treasurer shall report the status of the alliance's financial affairs to the members of the Leadership Council in writing at the end of each quarter and shall be responsible for preparing an audited financial statement of the alliance's affairs each year. The audited financial statement shall be provided to each affiliated Labor Organization.

## ARTICLE IX COMMITTEES AND STAFF

Section 1. The Chair, subject to the approval of the Leadership Council and within the approved budget, may create such committees and staff positions as necessary and appropriate to carry out the objects of this alliance or to implement the actions, directions, rules or policies established by the Leadership Council. The Leadership Council may appoint an Executive Director to supervise and conduct the day-to-day affairs of the alliance and of the Strategic Organizing Center and to supervise the employees and agents of the alliance and the Strategic Organizing Center.

Section 2. The membership of any committee shall be determined by the Chair subject to the approval of the Leadership Council. Committees shall be composed of members of the Leadership Council or any other person appointed by the Chair with the approval of the Leadership Council. Committee members may be paid or reimbursed for expenses incurred in the performance of their duties.

Section 3. The Chair, or the Chair's designee with the approval of the Chair, shall hire, discharge and establish the duties, compensation and benefits for all staff positions and retain the services of appropriate consultants and professionals, subject to the approval of the Leadership Council. Staff shall work at the direction of the Chair or the Chair's designee in accordance with the policies established by the Leadership Council.

ARTICLE X  
BUILDING WORKER POWER THROUGH  
STATE AND REGIONAL LABOR ALLIANCES

Section 1. The Leadership Council may charter State and Regional Labor alliances for the purpose of building effective local programs to elect candidates who support labor issues; move legislative agendas on working family issues; educate members and the general public on issues of concern to working families and neutralize employer opposition to organizing. These State and Regional Labor alliances shall support organizing efforts by mobilizing community and political support and through building alliances with community based organizations. The Leadership Council shall establish standards designed to insure that State and Regional Labor alliances maintain effective programs to support candidates who support labor issues, to promote legislation on working family issues, to educate the public on worker issues and to coordinate the activities of local affiliates.

Section 2. State and Regional Labor alliances may be chartered upon a state or other basis as deemed advisable by the Leadership Council. The Leadership Council shall insure that the jurisdiction granted by these charters is designed to maximize worker power through effective coordination of activity at the state and local level.

Section 3. All local unions and other subordinate bodies of national and international unions affiliated with the alliance may affiliate with the State and Regional Labor alliances within their jurisdiction in accordance with the policies and guidelines established by the Leadership Council.

Section 4. Membership in the State and Regional Labor alliances shall be extended to nonaffiliated unions and other appropriate organizations, in accordance with the policies and guidelines established by the Leadership Council, where such membership would strengthen the overall effectiveness of the activities of State and Regional Labor alliances on behalf of workers.

Section 5. The Leadership Council shall establish programs, provide appropriate assistance, and adopt rules and procedures to insure the effective functioning of the State and Local Labor alliances.

## ARTICLE XI FINANCIAL OBLIGATIONS

Section 1. A per capita tax shall be paid to the alliance upon the membership of each affiliated national or international union. For purposes of this Article and other appropriate provisions of this Constitution, the term “member” shall include agency fee payers and comparable fee payers, but shall not include associate members or retiree members paying less than full dues. Only members holding membership in the United States and its territories and possessions shall be included in determining the number of members for any per capita payment.

Section 2. Each national or international union shall pay on or before the fifteenth day of each month, for the preceding month, a per capita tax of 25 cents (\$0.25) per member per month, beginning the month of October 2005 (due November 15, 2005). This per capita tax rate may be changed by a two-thirds vote of the Leadership Council.

Section 3. Any affiliated organization that does not pay its per capita tax on or before the fifteenth of the month, and assessments when due and payable, shall be notified in writing of that fact by the Secretary-Treasurer. Any affiliated organization that is three months in arrears in payment of per capita tax or assessments, and is so notified in writing, shall, unless it has returned to good standing within 20 days of such notification, be suspended automatically from the alliance and can be reinstated only after such arrearages are paid in full.

Section 4. The Leadership Council may implement an emergency assessment for a specified period of time by a two-thirds vote of the Leadership Council according to the voting method set forth in Article V, Section 3.

Section 5. The Leadership Council is authorized to propose additional funding from those affiliates participating in an SOC campaign, on a monthly or other periodic basis, based on the relative per capita of the affiliates involved in the campaign and the anticipated increased membership expected to result from the campaign. This additional funding shall be subject to the consent of each of the affiliates involved in the campaign, but once determined, any periodic obligation must be paid until the campaign is completed or terminated or unless otherwise decided by the Leadership Council.

Section 6. Funds may only be expended with authorization of the Chair and Secretary-Treasurer or their designated substitutes as approved by the Leadership Council.

ARTICLE XII  
STRATEGIC ORGANIZING CENTER  
[SOC]

Section 1. The alliance shall establish a Strategic Organizing Center to develop and implement comprehensive organizing campaigns to advance worker strength. The Executive Director shall be responsible for carrying out the responsibilities of the Center.

Section 2. The Center shall conduct appropriate strategic research to assist affiliates and the alliance in effectively targeting and allocating organizing resources with respect to both individual and multi-union campaigns. The Center, in consultation with any affiliate with jurisdiction related to the proposed campaign, shall create individual and multi-union campaigns designed to strengthen the labor movement, increase the membership of affiliates and enhance worker power. The Center shall propose such campaigns to the Leadership Council for approval. In presenting any such campaign to the Leadership Council, the Center shall indicate the extent to which the campaign affects the jurisdiction of any affiliate. Once approved by the Leadership Council, the Center shall coordinate, assist and direct such Strategic Organizing Center individual and multi-union campaigns.

Section 3. No affiliate shall organize or attempt to represent workers in a manner that conflicts or interferes with a campaign developed by the Center and approved by the Leadership Council. If the Center believes that the activity of any affiliate conflicts or interferes with such a campaign, the Center may bring the matter to the attention of the Chair who shall either refer the matter directly to the Leadership Council for resolution or to the procedures of Article XV (Dispute Resolution).

ARTICLE XIII  
MAXIMIZING ORGANIZING RESOURCES:  
DETERMINING EXCLUSIVE ORGANIZING RIGHTS OF AFFILIATES  
**[Organizing Rights]**

Section 1. (a) In order to resolve organizing competition in those situations which are not governed by Article XII or Article XIV, the alliance shall maintain a procedure for determining organizing responsibilities.

(b) The affiliate which can best serve the interests of the affected workers in the industry or industries involved considering all of the facts and circumstances shall be awarded the exclusive right to organize the workers involved.

(c) Any written claim invoking a dispute governed by this Article shall be resolved pursuant to Article XV (Dispute Resolution).

Section 2. Where all the affiliates that are organizing or taking steps to organize a particular worker group are parties to a written agreement providing for the resolution of organizing disputes, the provisions of such agreement shall be complied with prior to invoking the procedures set forth in Article XV (Dispute Resolution) for an alleged violation of this Article. If such agreement provides for final and binding arbitration and an affiliate that is a party to such agreement claims that another such affiliate has not complied with a decision under that agreement, the aggrieved affiliate may file a complaint under Article XV, Section 7 (Non-Compliance).

ARTICLE XIV  
PROTECTING WORKER STANDARDS:  
RESPECTING ESTABLISHED BARGAINING RELATIONSHIPS  
**[Established Bargaining Relationships]**

Section 1. (a) Each affiliate shall respect the established collective bargaining relationship of every other affiliate. No affiliate shall organize or attempt to represent employees as to whom an established collective bargaining relationship exists with any other affiliate. For purposes of this Article, the term "established collective bargaining relationship" means any situation in which an affiliate, or any local or other subordinate body thereof, has either (a) been recognized by the employer (including any governmental agency) as the collective

bargaining representative for the employees involved for a period of one year or more, or (b) been certified by the National Labor Relations Board or other federal or state agency as the collective bargaining representative for the employees.

(b) In all disputes involving two or more conflicting established collective bargaining relationships, decisions shall promote industry and area standards and market density, and shall reflect the impact on the current organized membership in the industry as well as the job security of the employees affected by the dispute.

Section 2. Each affiliate shall respect the established work relationship of every other affiliate. For purposes of this Article, an "established work relationship" shall be deemed to exist as to any work of the kind that the members of an organization have customarily performed at or around a particular plant or worksite, whether their employer is the plant operator, a contractor, or other employer. No affiliate shall by agreement or collusion with any employer or by the exercise of economic pressure seek to obtain work for its members as to which an established work relationship exists with any other affiliate, except with the consent of such affiliate.

Section 3. (a) In the event that any affiliate believes that such special and unusual circumstances exist that it would violate its basic jurisdiction or be contrary to basic concepts of trade union morality or to the constitutional objectives of the alliance or injurious to accepted trade union work standards to enforce the principles in this Article that would apply in the absence of such circumstances, such organization shall nevertheless observe such principles unless and until its claim is upheld in the manner prescribed in subsection (b) of this section.

(b) Any affiliate that claims justification under subsection (a) of this section for action that would, in the absence of such justification, violate the provisions of this Article shall process its claim, prior to taking action, under the provisions of this Section. Such claim shall set forth the basis upon which the claim is made and the action that the affiliate proposes to take. The claim shall thereafter be processed as provided in this Article except that the determination as to whether the facts justify the proposed action shall be made by an Arbitrator appointed by the Leadership Council. The Arbitrator shall determine whether the proposed action would violate the provisions of this Article in the absence of justification, shall find the facts with respect to the claim of the justification, and shall submit a report and recommendation to the Leadership Council. The

Leadership Council shall determine on the report of the Arbitrator whether the proposed action would violate the provisions of this Article in the absence of justification; and, if the Leadership Council concludes by majority vote that the proposed action would so violate it, the Leadership Council shall find such justification by a two-thirds vote.

Section 4. No affiliate shall, in connection with any organizational campaign, circulate or cause to be circulated any charge or report that is designed to bring or has the effect of bringing another affiliate into public disrepute or of otherwise adversely affecting the reputation of such affiliate or the alliance.

Section. 5. Dispute settlements and determinations under this Article shall not determine the general work or trade jurisdiction of any affiliate but shall be limited to the settlement or determination of the specific dispute on the basis of the facts and considerations involved in that dispute.

ARTICLE XV  
PROCEDURES FOR RESOLVING DISPUTES  
**[Dispute Resolution]**

Section 1. All disputes arising under Articles XII, XIII and XIV shall be resolved pursuant to this Article.

Section 2. Procedural Rules and Policy Statements.

(a) The Leadership Council shall establish procedural rules for the handling of complaints and requests to be resolved under this Article so that all affiliates involved in or affected by a dispute will have full and adequate notice, will have full opportunity to settle disputes voluntarily, and, in the event that the dispute cannot be settled, will have a full and fair hearing before an impartial Arbitrator. The rules shall be designed to insure the speedy and early disposition of all complaints and requests arising under this Article.

(b) The Leadership Council shall have full and final authority on its own motion or at the request of any affiliate to consider policy questions under Articles XII, XIII and XIV and to issue from time to time policy statements having prospective effect on the implementation of these Articles, which statements shall, from the date issued, supersede inconsistent prior policy statements and case decisions.

(c) Whenever, in the judgment of the Chair, pressing reasons require an accelerated settlement or determination, the Chair may shorten or eliminate the mediation process or refer the dispute directly to an Arbitrator.

(d) The Leadership Council shall appoint one or more permanent Arbitrators to act pursuant to this Article and shall establish their terms of employment. Where circumstances require, the Leadership Council may appoint Ad Hoc Mediators and Ad Hoc Arbitrators to resolve cases.

### Section 3. Initiation of Proceedings

(a) Any aggrieved affiliate may file a complaint with the Chair alleging a violation of Article XII (SOC) or Article XIV (Established Relationships).

(b) Any affiliate that is actively engaged in organizing a group of workers and seeking to become their exclusive representative may file a request with the Chair for a determination affirming its ability to do so without being subject to ongoing competition by any other affiliate pursuant to Article XIII (Organizing Rights).

### Section 4. Mediation of Disputes.

(a) Article XII (SOC) and Article XIV (Established Bargaining Relationships).

(i) In all cases governed by the requirements of Articles XII and XIV, the parties involved in the dispute shall meet and confer in an effort to resolve the dispute.

(ii) If the parties are unable to resolve the dispute voluntarily within 14 days or such other period of time which the parties may agree to, the dispute shall immediately be referred to an Arbitrator as provided in Section 5(a) of this Article.

(b) Article XIII (Organizing Rights). All requests governed by Article XIII (Organizing Rights) shall be referred to a combined mediation and arbitration as provided in Section 5(b) of this Article.

## Section 5. Arbitration and Remedy

(a) Disputes arising under Article XII (SOC) and Article XIV (Established Relationships):

(i) All cases referred to arbitration shall be heard by an Arbitrator appointed by the Leadership Council pursuant to Section 2(d) of this Article. The designated Arbitrator shall have discretion to conduct the hearing in a suitable manner subject any procedural rules issued by the Leadership Council pursuant to Section 2(a) of this Article.

(ii) The Arbitrator shall be empowered to fashion an appropriate remedy if the arbitrator finds that a violation has occurred or is about to occur. The available remedies shall include an order to cease and desist, an order to disclaim interest, an order to abrogate a collective bargaining agreement, or other appropriate equitable relief.

(iii) All decisions by Arbitrators in cases governed by Article XII (SOC) shall be final and binding. There shall be no appeal.

(b) Disputes arising under Article XIII (Organizing Rights):

(i) The Arbitrator shall first attempt to mediate the dispute. If the parties cannot reach a voluntary settlement through mediation, the Arbitrator shall immediately conduct a hearing and render a decision.

(ii) After hearing, the Arbitrator shall award the exclusive right to organize the workers in question to one of the affiliates participating in the proceeding based on what is in the best interests of the affected workers in the industry or industries involved considering all of the facts and circumstances.

(iii) If the Arbitrator finds that all factors indicate that the best interests of the workers would be equally well served by the affiliates involved in the dispute, the Arbitrator shall award the exclusive right to organize to the affiliate that first had a substantial full-fledged drive to organize the workers in question. All activity by an affiliate that has the purpose of achieving representation and increasing bargaining power on behalf of the workers involved shall be considered organizing activity for the purposes of the Arbitrator's decision under this subsection.

(iv) Such exclusive right to organize the workers in question shall run for a period of one year or such shorter or longer period as the Arbitrator for good reason establishes.

(v) All decisions by Arbitrators governed by Article XIII (Organizing Rights) shall be final and binding. There shall be no appeal.

## Section 6. Appeals

(a) Any affiliate adversely affected by a determination of the Arbitrator involving a violation of Article XIV (Established Relationships) shall have the right to appeal to the Leadership Council only if it can show that the determination is clearly contrary to the purposes of this Constitution or is clearly erroneous, arbitrary or capricious. Any such appeal must be filed with the Chair within five days of the date on which the affiliate receives the determination and must be supported by a brief statement demonstrating that the appeal satisfies the standard set forth in the preceding sentence. Any such appeal shall be referred by the Chair to the Leadership Council which shall consider the case itself or refer it to such individual or individuals as the Leadership Council shall designate. The Leadership Council or the individual or individuals designated by the Leadership Council shall review the appeal, conduct a hearing if deemed necessary and issue a final and binding decision thereon affirming, reversing or modifying the Arbitrator's decision. This provision will expire at the end of 2012 unless extended by the Leadership Council.

(b) If no appeal is filed from a determination of the Arbitrator within five days, the determination shall automatically go into full force and effect.

## Section 7. Non-Compliance

(a) Any affected affiliate may file a complaint with the Chair alleging that another affiliate has not complied with an effective determination of an Arbitrator or the final determination of the Leadership Council upon appeal. Upon receipt of such a complaint, the Chair shall immediately refer the matter to the Arbitrator who initially determined the dispute. The Arbitrator shall conduct a hearing on the issue of noncompliance and make a report to the Leadership Council on whether the Affiliate is in compliance and make a recommendation on what the Affiliate must do to come into compliance.

(b) If the Arbitrator finds noncompliance and the Affiliate does not immediately come into compliance and so notify the Chair, the Leadership Council shall consider the recommendations of the Arbitrator and shall inform the non-complying affiliate of the action it must take in order to be in compliance and the date by which it must be in compliance. If the affiliate fails to come into compliance as so directed, the Leadership Council shall notify each affiliated national or international union and each affected state and local central body of such non-compliance.

(c) Immediately upon the issuance of notification of non-compliance, the non-complying affiliate shall not be entitled to file any complaint or appear in a complaining capacity in any proceeding under this Article or to invoke the procedures and protections of Articles XII, XIII and XIV. In addition, the Leadership Council is authorized, in its discretion, to order such other penalties as it deems appropriate including but not limited to revocation of the affiliate's charter, denial of voting rights on the Leadership Council or other body of the alliance.

Section 8. Restoration of Rights. Any affiliate that has been found to be in non-compliance and that has been deprived of its rights under Section 7 above may apply for restoration of such rights. Notice of such application shall be given to all of the affiliates involved in the determinations as to which there is non-compliance. If such affiliates consent, the Leadership Council shall be authorized to restore the rights of the non-complying affiliate after it states its intention in writing to comply with the provisions of this Article. If any affiliate involved in the cases of non-compliance opposes the application, the rights of the non-complying affiliate shall be restored only under the following conditions:

(a) The non-complying affiliate states its intention, in writing, to comply with the provisions of this Article and the Article which it has been found to have violated;

(b) The non-complying affiliate has undertaken whatever measures may be necessary and practicable to remedy the situation; and

(c) The application for restoration of rights is approved by a two-thirds vote of the Leadership Council, or by a majority vote of the Convention.

## Section 9. Exclusive Remedies

The determinations made pursuant to this Article with respect to the resolution of disputes shall constitute the sole and exclusive method for settlement and determination of such disputes, and none of these Articles or any determination rendered hereunder shall be enforceable in a court of law.

## ARTICLE XVI MUTUAL AID AND SUPPORT

Section 1. Each affiliate of this alliance agrees that it shall not divide workers' strength by engaging in activity that disrupts the established representation rights of any affiliate or by assisting any other labor organization in disrupting such representation rights.

Section 2. In the event that any labor organization outside of the alliance attempts to interfere with the established bargaining relationship as defined in Article XIV (Established Bargaining Relationships) of an affiliated union or attempts to interfere with the designated organizing rights under Articles XII, XIII or XIV, or otherwise interferes with an affiliated union's strategy to unite workers within its core industries, all of the affiliated unions within the alliance, acting through the Leadership Council, shall use the full power and the resources of the alliance to protect the interests of the aggrieved union and the affected workers.

## ARTICLE XVII AMENDMENTS

This Constitution may be amended at any time by a two-thirds per capita vote of the members of the Leadership Council or by a two-thirds per capita vote of the delegates at a regular or special Convention.

## ARTICLE XVIII SAVINGS CLAUSES

Section 1. This Constitution shall not confer any rights upon any other person, entity or party, except for the alliance itself and its chartered labor

organizations. No other person, entity or party shall have any right to seek enforcement of this Constitution or to seek relief for an alleged breach.

Section 2. If any provision of this Constitution shall be declared invalid or inoperative by any competent authority of the executive, judicial or administrative branch of a state, provincial or federal government, the Leadership Council shall have the authority to suspend the operation of such provision during the period of its invalidity and to substitute in its place and stead 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 this Constitution should be held invalid by operation of law or by any tribunal of competent jurisdiction, the remainder of this Constitution or the application of such Article or Section to persons or circumstances other than those as to which it has been held invalid shall not be affected thereby.

## ARTICLE XIX FISCAL YEAR

The fiscal year shall run from January 1 through December 31.