

ARTICLE III

INTERNATIONAL OFFICERS

Sec. 1. The officers of the I.B.E.W. shall be the International President, International Secretary-Treasurer, eleven (11) International Vice Presidents, International Executive Council Chairman and eight (8) International Executive Council members. The officers shall be nominated and elected, by duly elected delegates, at the International Convention. They shall assume office thirty (30) days after their election, and shall serve for five (5) years or until their successors are elected and qualified.

Sec. 2. No one shall be eligible as an officer except a member having five (5) years continuous good standing in the I.B.E.W. immediately prior to nomination.

Sec. 3. The elections of the International President, International Secretary-Treasurer, and International Executive Council Chairman shall be by secret ballot, per capita tax vote when there is more than one candidate, and

shall require a majority of all votes cast to constitute an election. When there are more than two candidates for the same office, at every unsuccessful balloting the one receiving the lowest number of votes shall be dropped, the voting then to continue until one has received a majority over all.

However, the choice for International Vice Presidents, the International Executive Council (except the I.E.C. Chairman) and delegates to other Conventions shall be recommended to the Convention by each district. The Convention shall adopt the district's recommendation as its own action, by the I.S.T. casting one ballot for the district's choice. The choice of each district shall be decided by a majority of the L.U.'s of the district represented at the Convention—and present at the time the choice is made—on the basis of one vote for each L.U., by secret ballot, not by a delegate or per capita tax vote. If the district is unable to determine its choice, then the Convention shall decide any contest by a roll call, per capita tax vote.

The vote of each L.U. shall be decided by a majority of its delegates. If the delegates of a L.U. are equally divided, then the L.U. shall have no vote. When there are more than two candidates for the same office in the district, at every unsuccessful balloting the one receiving the lowest number of votes shall be dropped, the voting then to continue until one has received a majority over all.

(Nothing in this Constitution shall be construed to conflict with the above section.)

Sec. 4. At all elections when it becomes necessary to have an electronic, secret ballot vote, the presiding officer shall appoint an election judge and, if necessary, tellers. He shall announce the names of the candidates in rotation. Each candidate may be present or be represented by a member during the vote tally. All election records shall be preserved for a period of one year.

Sec. 5. The officers shall attend the I.C. and all their expenses shall be paid out of the General Fund. They shall have voice but no vote, and no officer shall be eligible to represent his L.U. as a delegate. The officers, except I.V.P.'s, shall have their reports printed and ready for distribution to the delegates when the Convention is organized.

Sec. 6. Each officer elected shall sign and file in the I.O. the following pledge and oath of office:

"I, _____ (*give name*) _____ do hereby solemnly pledge on my honor, that I will faithfully discharge my duties as an officer of the International Brotherhood of Electrical Workers. I will support by every means within my power its Constitution, and I will enforce it to the best of my ability. At the expiration of my term of office, I shall deliver to my successor all books, papers, money and other property in my possession belonging to the I.B.E.W. or its L.U.'s; and I shall not be relieved from any bond or obligation unless and until I comply with this law."

(Signed) _____ (Witness) _____

Sec. 7. All officers at the expiration of their term shall deliver to their successors all books, papers, money and other property in their possession, belonging to the I.B.E.W. or its L.U.'s, and shall not be relieved from their bonds or obligations until this law is complied with.

Compensation and Benefits

Sec. 8. Salaries of the International President, International Secretary-Treasurer, International Vice Presidents, I.E.C. Chairman, I.E.C. Members, Executive Assistants, Directors, and Senior International Representatives shall be increased annually on October 1.

The increase shall be equal to the combined average of the percentage increases negotiated and approved for the members of the Construction, Manufacturing, Telephone, and Utility branches of the I.B.E.W. for the twelve (12)-month period ending August 31 of each year.

All such Officers and Representatives shall be reimbursed for actual expenses when away from home on business of the I.B.E.W. in accordance with rules promulgated by the I.P.

Sec. 9. The services of the I.E.C. Chairman shall be available to the I.B.E.W. in an advisory capacity and for fulfilling other assignments in the interests of the I.B.E.W.

Sec. 10. Members employed by the I.B.E.W. as officers or in any other capacity, who become permanently disabled while so engaged, shall receive \$500 a month while incapacitated. The period of incapacitation shall not be deducted from service record.

Sec. 11. (a) Members in the I.B.E.W. service, employed by it as officers, representatives or assistants, who have attained the age of sixty-two (62) and have ten (10) or more years service, shall, upon request of the individual, be retired by the I.E.C. The annual rate of compensation payable upon retirement shall be three and three-quarters percent (3.75%) of the average annual salary for the three (3) years during which the highest salary was payable to the individual, multiplied by the number of years of service, not to exceed twenty (20) years, plus one percent (1%) of such average salary, multiplied by the additional number of years of service in excess of twenty (20) years, not to exceed five (5) additional years. This retirement compensation shall be payable monthly.

(b) Officers, representatives, or assistants who have attained the age of fifty-five (55) and have fifteen (15) or more years service, shall, upon request of the individual, be

retired by the I.E.C. and shall receive retirement compensation on the same basis as provided in Subsection (a) above.

(c) Officers, representatives, or assistants who become permanently disabled while employed by the I.B.E.W. shall receive retirement compensation on the same basis as provided in Subsection (a) of this Section, or as provided in Article III, Section 10, while incapacitated.

(d) Any officer, representative, or assistant who leaves I.B.E.W. service after completing five (5) or more years of service before becoming eligible for retirement under Subsection (a) above may elect either to have his contributions returned to him or to be granted a vested right to retirement compensation which will entitle him to receive, commencing at age sixty-five (65), retirement compensation on the same basis as provided in Subsection (a) above.

(e) In lieu of the payment of retirement compensation on the basis outlined in Subsections (a), (b), and (d), an officer, representative, or assistant may elect immediate payment of his pension in reduced pension on a joint and survivor basis with payments continuing to his surviving spouse. In each such case the reduced amount of retirement compensation payable under such election shall be actuarially equivalent to the retirement compensation otherwise payable. To be effective, all such elections shall conform to the rules and regulations adopted for such purpose by the I.E.C. The provisions of this Subsection shall not apply to those officers, representatives, or assistants who retired on or before September 14, 1962.

(f) In the event of death of an officer, representative, assistant, or spouse, any unused portion of his 5 percent contribution which was previously required shall be payable in a lump sum to the designated beneficiary.

In the event of death of both—the officer, representative, or assistant and his spouse—any unused portion of the 5 percent contribution which was previously required shall be payable in a lump sum to his beneficiary.

(g) The I.E.C. shall enter into a trust agreement with a reliable and long-established trust company to act as trustee in the handling and disbursement of the retirement pay.

(h) The I.S.T. shall turn over to such trust company from the General Fund the amount necessary to assure that each eligible officer, representative, or assistant shall receive his retirement pay when due.

(i) The I.E.C. is authorized to make such changes or amendments necessary to qualify this plan under Section 401(a) of the Internal Revenue Code.

(j) Any employee of the I.B.E.W. not covered by Section 11, Subsections (a) through (i), shall be covered by a retirement plan, the provisions of which shall be established by the I.B.E.W., consistent with legal requirements including, where applicable, the duty to bargain in good faith with a recognized collective bargaining representative.

(k) The I.B.E.W. shall enter into a trust agreement with a reliable and long-established trust company to act as trustee in the handling and disbursement of the retirement pay of employees covered by Subsection (j).

(l) The I.S.T. shall turn over to such trust company from the General Fund the amount necessary to assure that each eligible employee covered by Subsection (j) hereof shall receive his or her retirement pay when due.

(m) Anyone receiving such compensation must observe this Constitution and the principles it sets forth and shall do nothing directly or indirectly to injure the I.B.E.W. or its members.

(n) The I.E.C. is authorized to make such changes or amendments necessary to qualify this plan under Section 401(a) of the Internal Revenue Code.

(o) Insofar as Canadian officers and employees of the I.B.E.W. are concerned, the I.E.C. is authorized to make such changes and amendments in the Pension Plan as it deems appropriate and necessary to provide the minimum benefits required by applicable dominion or provincial laws.

(p) The I.E.C. is authorized to effect such changes and amendments in benefits by rules and regulations.

(q) The I.E.C. is empowered to establish such rules and regulations as it deems appropriate and to modify same for the effectuation and administration of the provisions of this Article. With respect to the plan for employees not covered by Section 11, Subsections (a) through (i), this power shall be exercised consistent with the provisions of Subsection (j). The I.E.C. is further authorized to make definitions of terms used in this Article and to make interpretations of these constitutional provisions and its rules and regulations, which shall be final and binding. The decisions of the I.E.C. on all questions arising hereunder, including cases of eligibility for and computation of the amount of benefits, shall be final and binding.

(r) In no event shall any officer, representative, or assistant or any other employee of the I.B.E.W. who retires under Article III, Section 11, be paid a monthly pension benefit [as determined before any reduction required by the election of option under Subsection (e)] that is less than he would have received under Section 11 of the Constitution prior to September 30, 1974. The amount paid officers, representatives, or assistants prior to September 30, 1974, shall remain unchanged.

Sec. 12. No candidate (including a prospective candidate) for International Office, and no supporter of a candidate for International Office, may solicit or accept financial support or any other direct or indirect support of any kind (except an individual's own volunteered personal time) from any nonmember of the I.B.E.W. or from any foundation, corporation or other entity whose funds are derived in whole or in part from any person not a member of the I.B.E.W. This rule does not apply to the financing of litigation concerning the legal rights of candidates or other members in connection with elections for International Office.

The I.E.C. shall adopt such regulations as are necessary to implement this provision. The regulations shall provide for the maintenance of such records and the filing of such reports, by candidates and their supporters, as may be necessary for the administration and enforcement of this section.