

CONSTITUTION AND BY-LAWS
OF
MISSOURI-KANSAS AND NEBRASKA CONFERENCE OF TEAMSTERS
AFFILIATED WITH THE
INTERNATIONAL BROTHERHOOD OF TEAMSTERS

Adopted by vote of the delegates
in the meeting of October 4, 2001.

I N D E X

CONSTITUTION AND BY-LAWS OF MISSOURI-KANSAS AND NEBRASKA CONFERENCE OF TEAMSTERS

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ARTICLE 1: NAME AND NATURE

Section 1.01 This organization shall be known as MISSOURI-KANSAS AND NEBRASKA CONFERENCE OF TEAMSTERS affiliated with the INTERNATIONAL BROTHERHOOD OF TEAMSTERS.

Section 1.02 This organization shall continue to be an unincorporated labor organization.

Section 1.03 The principal office of this organization shall be in such city as the EXECUTIVE BOARD may, from time to time, determine.

ARTICLE 2: OBJECTS AND PURPOSES

Section 2.01 The general purposes of the Conference shall be:

(1) To achieve a closer degree of cooperation between the memberships of the local unions who are affiliated with it, and between the Joint Councils with which such local unions are respectively affiliated, and to coordinate the activities of both said local unions and said Joint Councils;

(2) To provide the means whereby each local union may keep abreast of changing economic conditions and become advised of improved methods of meeting the problems with which it is confronted;

(3) To promote, encourage, and put into effect such measures as will eliminate from our industry any unfair practices which may exist now, or in the future;

(4) To promote and encourage area-wide bargaining within the jurisdiction of this conference to endeavor to bring about a single master agreement throughout the Missouri-Kansas and Nebraska Conference of Teamsters area for each trade, craft or industry and to negotiate and assist in negotiating such agreements.

Section 2.02 We subscribe to the belief that all persons are entitled to collectively negotiate the terms and conditions of their employment and the compensation to be paid for their time and services under circumstances which give to them and their employers an equal voice in such matters. Knowing that collective bargaining through a labor union is the only effective means whereby workers can acquire bargaining power equal to that of their employers, we shall undertake in proper and reasonable ways to encourage all employees to become and remain members of a union authorized to represent them for collective bargaining purposes. Therefore, it shall be a further object of ours to persuade and encourage persons working in employment under our jurisdiction to become and remain members in good standing of the local unions belonging to this Conference; to engage in proper, reasonable and legal activities designed to persuade employees, employers and the public to the desirability of trade unions; to seek to incorporate in collective bargaining agreements

entered into by this Conference and our member local unions the maximum union security and job protection provisions permitted by law, and to strive to protect and preserve their bargaining position and bargaining power; to seek proper, reasonable, and legal means whereby we may protect our standards from the threat of diminution caused by persons outside of member local unions working for less; to perform such duties and functions and exercise such powers as are prescribed in our International Constitution; and to exercise all rights permitted by law which tend to foster the interest and welfare of this Conference, its member local unions, and our International Union in particular, and the trade labor movement in general.

Section 2.03 It shall be our further object and purpose to encourage and assist our member local unions in the acquisition of additional knowledge and information so that they may be better able to evaluate and pass judgment upon the matters and things which influence the affairs of those local unions, and the lives of their individual members; to encourage them to participate actively in the affairs of Government and of their community; to encourage members of our local unions to participate actively in the affairs of their union; and to instill in them the firm knowledge and belief that freedom and democracy cannot exist within their organization unless the will of the majority prevails over the will of the minority.

Section 2.04 To the extent permitted by law, within the limits of the means and finances available to us, this organization shall engage in political activities which tend to foster our welfare. This shall include, but not be limited to, the dissemination of information, views, opinions, suggestions and appeals to any and all persons by any means available concerning any candidate for public office or political issue. It shall also coordinate financial contributions in support of the campaigns of candidates or in support of or in opposition to any political issue.

Section 2.05 It shall further be an object of the MISSOURI-KANSAS AND NEBRASKA CONFERENCE OF TEAMSTERS to receive, manage, invest, expend, or otherwise use the funds and property of this organization to carry out the duties and to achieve the objectives set forth in these By-Laws and the International Constitution and for such additional purposes and objects not inconsistent therewith as will further the interests of this organization and its members, directly or indirectly.

Section 2.06 We recognize the interests of this labor organization are not limited to matters of organization and those things which affect collective bargaining, or even to those matters and things additionally set out in Sections 2.01, 2.02, 2.03, 2.04, and 2.05 but extend to all types of economic, social, and political activities, including, but not limited to, activities of a cultural, civic, industrial growth, legislative, political, fraternal, educational, charitable, welfare and social nature which further the interests of this organization and its member local unions, directly or indirectly. Therefore, participation of this labor organization in any of such activities or which are in pursuance of any of the objectives and purposes set out in this Article, shall be considered as for the sole benefit of the organization, its delegates, and its member local unions.

ARTICLE 3: MEMBERSHIP

Section 3.01 This conference shall be composed of all of those local unions which have been chartered by our International Union, and which are within the geographical jurisdiction of this Conference, as specified from time to time by our International Union. Provided, however, we shall be bound by whatever jurisdictional awards or decisions our International Union is empowered to make.

Section 3.02 Each local union which is affiliated with this Conference shall be represented by its principal administrative officer and its business representatives, both those elected and appointed. Each local union shall be entitled to one (1) vote regardless of the number of delegates representing the particular local union. Each delegate to the Conference may appoint an alternate delegate of his own choosing when he is unable to attend a particular meeting or meetings of the Conference.

Section 3.03 Each delegate to this Conference shall have equal rights and privileges in connection with attending meetings of the delegates, and participating in the deliberations except that in voting upon the business of such meeting each local union shall have but one vote as set out in Section 3.02. Provided, however in connection with voting for offices of this Conference, no delegate shall be permitted to cast a vote in such election unless he shall have been elected by secret ballot as an officer or as a delegate of his local union.

ARTICLE 4: AFFILIATIONS

Section 4.01 This organization shall comply with all present and future provisions of the Constitution of the International Brotherhood of Teamsters, which requires us to affiliate with other bodies and may affiliate with any other organization having an object or purpose consistent with one or more of the objects and purposes specified in Article 2 hereof.

ARTICLE 5: OFFICERS

Section 5.01 The officer of this organization shall consist of a President, a Vice-President, a Recording Secretary, a Secretary-Treasurer, and three Trustees. No other person or persons are authorized to (1) perform the functions of said offices, except as administrative or clerical assistants working under the direct supervision and control of the officers, or (2) perform or attempt to perform any of the executive functions of the organization.

Section 5.02 The president shall be the executive and administrative head of this organization. It shall be the duty of the President to preside at all meetings of this organization and to preserve order therein, to enforce the International Constitution and this Constitution and By-Laws, and to see that all officers perform their respective duties. He shall also have the right to serve on all committees by virtue of his office, and in general shall enforce the provisions of this and the International Constitution and perform all duties

incident to the office of President, and such other duties as may be assigned by the Executive Board or the delegates from time to time.

The President shall decide all points of order and shall have the deciding vote when a tie occurs on any question that is voted on by the delegates. He shall announce the result of all votes and enforce all fines and penalties, and shall have the power to call special meetings.

The President shall be the principal executive officer of this organization. He shall in general, supervise, conduct and control all of the business and affairs of this organization, its officers and employees, including without limitation, the right to appoint persons to chair meetings and to preserve order therein. He may appoint from among those delegates from local unions not represented on the Executive Board a Warden and Conductor to assist the Warden, who shall perform such duties at meetings of the delegates as the President shall designate.

The President, subject to the provisions of Article XXIII, Section 3, of the International Constitution, together with the Secretary-Treasurer, shall sign all official documents, deeds, mortgages, bonds, contracts, or other instruments, all checks on bank accounts, and perform such other duties as the International Constitution, this Constitution and By-Laws or law may require of him. The President, together with the Secretary-Treasurer, shall exercise joint custody and control over the stocks, bonds, securities and other assets of this organization. All documents involving the affairs of this organization must bear the signature of the President in order to be valid; however, the President may delegate the power to sign documents on his behalf to one or more of the other members of the Executive Board.

The President shall have the authority to disburse or order the disbursement of all monies necessary to pay the bills, obligations and indebtedness of this organization which have been properly incurred.

The President shall have the right to hire or retain, and shall have charge and supervision of all professionals (such as attorneys, accountants, etc.), agents, and employees of this organization and shall have power to suspend or discharge all professionals (such as attorneys, accountants, etc.), agents, and employees. The President shall appoint all committees.

The officers of the Conference shall continue to receive the salaries, benefits, allowances, and expenses in effect at the time of adoption of this Constitution and By-Laws, provided, however, salaries, benefits, allowances and expenses shall be subject to adjustment by the Executive Board and approval by the delegates.

The salaries, benefits, allowances, and expenses of any employees of the Conference shall be set and/or adjusted from time to time by the President with the approval of the Executive Board.

The President shall also have charge of all labor controversies involving this organization. The President shall have authority to interpret this Constitution and By-Laws and to decide all questions of law hereunder, between meetings of the Executive Board.

The President shall have authority to do any and all acts not expressly authorized herein which are necessary or proper in carrying out his duties as President.

Section 5.03 The Vice-President shall assist the President in the performance of his duties, and shall perform the duties of the President in the absence of the President. In case of removal, death or resignation of the President, he shall assume that office until a new President has been installed.

Section 5.04 The Recording Secretary shall keep a full and correct account of the proceedings of each meeting of the Conference and of the Executive Board, in books furnished by the Conference. He shall carry on such correspondence as may pertain to his office.

Section 5.05 It shall be the duty of the Secretary-Treasurer to receive all monies of the organization, and he shall keep an account of all monies received and expended, and shall make a financial report to the Conference at the regular meetings of the delegates. He shall issue no check unless countersigned by the President of the Conference. He shall deposit all monies of the Conference which he receives in some safe bank in the name of the Conference, and together with the President, shall exercise joint custody and control over the stocks, bonds, securities, and other assets of the organization. He shall submit the books for examination by the Trustees whenever requested. He shall supervise the record keeping of the organization. He shall be responsible for preparing all reports required to be filed by the organization, but may, with the approval of the President, employ accountants or attorneys to advise or assist in such preparation. He shall arrange for the audit of the Conference's books and records annually by a Certified Public Accountant. He shall keep a record of the organizations affiliated with the Conference, and shall notify organizations when in arrears for any financial obligations, and shall keep a record of the standing of all organizations affiliated with the Conference. He shall notify delegates of all Conference meetings.

Section 5.06 The Trustees shall have supervision over all funds and properties of the Conference. They shall audit the books of the Conference and report their findings at the regular meeting immediately following such audit.

Section 5.07 In the event the Secretary-Treasurer and/or the President shall become ill or otherwise incapacitated, the Executive Board shall designate substitutes for the purpose of signing checks for the withdrawal of funds of the organization.

Section 5.08 In addition to the duties specified in this Article, each officer shall, as authorized and directed by the President or the Executive Board, perform or assist in the performance of the executive and administrative functions of this organization, including but not limited to, the matters and things specified in Article 2 hereof.

Section 5.09 By approval of the Executive Board, the officers of this organization are authorized to attend, as delegates or otherwise, conventions, conferences, meetings, and other assemblies of whatever kind or nature and wherever held, and at the expense of the Conference.

Section 5.10 In the event an office becomes vacant, the Executive Board shall appoint a delegate to fill the unexpired term, subject to the specifications of Article 10 thereof.

ARTICLE 6: EXECUTIVE BOARD

Section 6.01 The Executive Board of this organization shall be composed of the President, the Vice-President, the Secretary-Treasurer, the Recording Secretary, and the three Trustees.

Section 6.02 Except as may be otherwise provided in these By-Laws, the Executive Board is the governing body of this organization. It is authorized and empowered to conduct and manage the affairs of this organization, and to manage, invest, expend, contribute, use, borrow, lend and acquire funds and property in the pursuit of accomplishment of the objectives set forth in the Constitution of the International Union and this Constitution and By-Laws and resolutions adopted in furtherance thereof. The Executive Board, in addition to such other general powers conferred by this Constitution and By-laws, is hereby empowered to:

1. Make and change rules and regulations, not inconsistent with this Constitution and By-laws or the International Constitution, for the management and conduct of the affairs of this organization and decide all questions upon which this Constitution and By-Laws is silent, at all times considering the welfare of this organization superior to that of persons in arriving at decisions;
2. Loan and borrow monies directly and indirectly for such purposes and with such security, if any, as it deems appropriate, and with such arrangements for repayment as it deems appropriate – all to the extent provided by law;
3. Provide for the employment of clerical employees, attorneys, accountants, and such other special or expert services as may be required for the organization and secure an audit of the books of this organization by a Certified Public Accountant at least once a year;
4. On behalf of this organization, its officers, agents, employees or delegates, initiate, defend, compromise, settle, arbitrate or release or pay the expenses and costs of any legal proceedings or actions of any nature if, in its judgment, it shall be necessary or desirable to protect, preserve, or advance the interests of the organization;

5. Transact all business and manage and direct the affairs of this organization between delegate meetings except as may otherwise be herein provided; delegate when necessary any of the above powers to any officer for specific and temporary purposes; the Executive Board shall designate other officers for the President or Secretary-Treasurer for the purpose of signing checks to pay bills or to exercise any other functions of their offices in the event that either shall refuse to act or shall become ill or otherwise incapacitated;
6. The Executive Board shall have the power to lease, purchase or otherwise acquire any real estate or other property deemed necessary for the prosecution of its affairs. In may sell, mortgage or lease such real estate or other property upon such terms as it, in its discretion, believes to be advantageous;
7. Create, issue and make deeds, mortgages, trust agreements, contracts, and negotiable instruments secured by mortgage or otherwise as provided by resolution of the delegates, and do every other act or thing necessary to effectuate the same;
8. Determine the manner in which referendums shall be held, subject to the approval of the General President;
9. Affiliate this organization with such other subordinate bodies of the International Brotherhood of Teamsters as it shall be desirable or required to do, and maintain such affiliations in good standing at all times;
10. Do all acts, not expressly authorized herein which are necessary or proper in implementation of the above duties for the protection of the property of this organization and for the benefit of the organization and members.

Section 6.03 The Executive Board shall have the duty to investigate all matters referred to it by the Conference, including any alleged breach of fiduciary duty when circumstances so warrant, to report the results of said investigations to the delegates as soon as possible, and to take appropriate action if the investigation so merits.

Section 6.04 The Executive Board shall hold its meetings at such time and place as shall be determined by the President, upon notice to all Board members.

Section 6.05 A majority of the Executive Board shall constitute a quorum for the transaction of business at any meeting of the Board. The action of a majority of the Executive Board present at a meeting at which a quorum is present shall be the action of the Board.

Section 6.06 As to all matters requiring action by the Executive Board, and when the Executive Board is not in formal session, the Executive Board may act by facsimile, letter or telephone. When action by the Executive Board is required, the President may obtain same by facsimile, writing or telephoning to the members of the Executive Board and such members may take action on the matter brought to their attention in the same manner. Such action so taken by

the majority of the members of the Executive Board shall constitute action of the Board as though the Board were in formal session.

ARTICLE 7: SPECIAL ALLOWANCES

Section 7.01 The officers of this organization cannot work regularly scheduled hours as do the members of their affiliated local unions, nor do they receive premium or overtime compensation for hours worked in excess of eight in any one day or forty in any one week. Their duties frequently require them to work both day and night and to remain on call twenty-four hours a day. They often travel to various parts of the United States in the performance of their duties and are away from their homes and families for varying periods of time. These things cannot be avoided if the affairs of the organization are to be conducted with dispatch and success.

Section 7.02 Because of the circumstances described in Section 7.01 above, and in addition to allowances for expenses directly incurred in handling our Conference business and affairs, they are expressly authorized and empowered to expend from our funds reasonable amounts for the following purposes:

- (a) To make personal long-distance telephone calls while on out-of-town trips;
- (b) To pay for the meals of themselves and others whenever they work after the evening dinner hour in their home areas;
- (c) To entertain for the purpose of establishing and maintaining contacts with persons, organizations and institutions which tend to foster the good and welfare of this organization.

ARTICLE 8: PROTECTION OF REPRESENTATIVES

Section 8.01 The Labor-Management Reporting and disclosure Act of 1959 may subject our officers, agents and representatives to civil suits and criminal prosecutions in numerous situations, and the language of said ACT is so replete with uncertainty and ambiguity that even experienced labor lawyers cannot tell us what is permitted and what is prohibited under certain sections. In addition, we believe that the law is an open invitation to sue and prosecute and will result in trade union officers, agents and representatives being forced to defend themselves in many unmeritorious cases.

Section 8.02 Because of the forgoing, this organization shall pay or reimburse for the payment of all reasonable expenses involved in the defense of civil and criminal proceedings instituted against our officers, organizers, agents and representatives, including the fees of attorneys, subject to the provisions of the International Constitution, and which arise out of the performance of their duties.

ARTICLE 9: BONDING

Section 9.01 To the extent required by law, every officer, agent, employee or other representative of this organization who handles funds or other property of the organization shall be suitably bonded.

ARTICLE 10: NOMINATION AND ELECTION OF OFFICERS

Section 10.01 The officers of this organization shall be elected by the locals for a term of four (4) years. In electing officers, each local shall be entitled to cast one (1) vote. To be eligible to hold office in this organization, one must be a delegate to this Conference and an officer of a local union in good standing with this Conference. In the event that a Conference officer ceases to serve as a local union officer, he shall cease to be a Conference officer effective as of such time.

Section 10.02 Nomination, election and installation of officers shall take place at the regular meeting of the delegates in September or October.

Section 10.03 The nomination, election and installation of officers shall be a special order of business of the September and October meeting. Nominations shall be made from the floor. Nomination and election of officers shall not be for particular offices but six persons shall be elected as officers, who shall meet with the President of the Conference and decide among themselves who shall perform the duties of the respective offices; provided, however, the delegates shall first elect a President and then shall elect six other officers in the manner herein provided. When there shall be but one nomination for the office of President, such election shall be by acclamation. In nominating and electing the six officers other than President, the delegates by Joint Council caucus shall first nominate and elect three persons by secret ballot as officers from among those who are delegates of local unions affiliated with their respective Joint Council. Cumulative voting for such officers shall not be permitted. After that time, election by the body shall be by acclamation.

Section 10.04 Where there is more than one candidate for the office of President, election for such offices shall be by secret ballot vote of the locals. The candidate receiving the highest number of votes shall be declared elected.

Section 10.05 No delegate shall be eligible to vote in any election at which officers of this organization are elected, unless such delegate shall have been elected by secret ballot to an office or as a delegate of his local union. Each member local union shall present credentials of the delegate who shall cast its vote, executed by the President and Secretary-Treasurer of such local union, prior to the election, and such credentials shall specifically state that the delegate has been elected to office in or as a delegate of their local union by secret ballot. No local union shall be permitted to vote which is in arrears in its financial obligations to the Conference.

Section 10.06 The Secretary-Treasurer of this organization shall preserve for one (1) year the credentials of the delegates participating in, as well as all minutes and other records of the meeting at which the officers of this organization were elected.

Section 10.07 No monies of this organization shall be contributed or applied to promote the candidacy of any person in an election subject to the provisions of the Labor-Management Reporting and Disclosure Act of 1959. However, monies of this organization may be utilized for notices, factual statements of issues not involving candidates, and other expenses necessary for the holding of an election by this organization.

Section 10.08 Any complaint, protest or charge by any delegate concerning the conduct of an election shall be made to the General President in writing, by registered or certified mail, within seventy-two (72) hours setting forth the exact nature and specifications of the complaint, protest, or charge and his claim, as to how it has affected the outcome of the election. The General President shall decide such complaint, protest or charge. The decision of the General President may be appealed to the General Executive board from whose decision there shall be no further appeal.

ARTICLE 11: FINANCES

Section 11.01 Each affiliated organization shall pay a per capita tax as determined from time to time by the delegates according to law.

Section 11.02 All monies due the Conference shall be forwarded to the Secretary-Treasurer of the Conference.

Section 11.03 No general or special assessment shall be levied upon member local unions except by majority vote of the delegates voting at a regular or special meeting of the Conference, held upon not less than thirty (30) days written notice to the principal officer of each such local union.

ARTICLE 12: MEETINGS

Section 12.01 The regular meetings of the delegates to the Conference shall be held semiannually in March or April and September or October at a time and place designated by the President.

Section 12.02 A quorum for the transaction of any business at any regular or special meeting of the delegates shall consist of delegates from seven (7) local unions.

Section 12.03 Special or divisional meetings of the Conference may be called by the President on the President's own motion or at the request of any member local union. The time and place of such special or divisional meetings shall be set by the President.

Section 12.04 All meetings shall as far as practicable be conducted in accordance with the rules of order for conducting meetings of local unions as set out in the Constitution of our International Union. Matters not specifically covered therein shall be governed by the ruling of the Chairman.

Section 12.05 A grievance meeting of the Conference may be called by the President on a written petition to the President by five (5) affiliated local unions, and said petition must state the reasons for such meeting. The meeting shall be held in the city where the grievance originates, and all arrangements therefore shall be made by the aggrieved.

Section 12.06 When a special or grievance meeting is called, the time, place and date therefore shall be set forth in the notice thereof. When a special or grievance meeting is called, no other business shall be transacted than that for which such meeting was called.

ARTICLE 13: GENERAL RIGHTS, PRIVILEGES, DUTIES AND OBLIGATIONS OF OFFICERS, AGENTS, REPRESENTATIVES AND EMPLOYEES

Section 13.01 The officers, agents and other elected or appointed representatives of this organization shall be expected and required to honestly and faithfully perform the duties of their offices and to devote themselves to the good and welfare of the organization. They shall conduct themselves as persons who occupy positions of honor and trust. Provided, however, their personal responsibilities in the performance of their duties shall be tested by the prudent-man rule, taking into consideration the special problems and functions of a labor organization, and whenever their activities meet the test of the prudent-man rule they shall in no wise be held personally responsible for any action taken or omitted by them in good faith and with honest intention.

Section 13.02 The officers and employees of this organization, for the organization as such and for themselves individually, shall complete and file all reports required by law and in connection with any report required shall maintain records on the matters required to be reported which will provide in sufficient detail the necessary basic information and data from which the reports may be verified, explained, clarified, and checked for accuracy and completeness, including the preservation of vouchers, work sheets, receipts and applicable resolutions, for periods required by law. As to reports required of this organization by the Labor-Management Reporting and Disclosure Act of 1959, they shall be made available to the member local unions of this organization, and for just cause shown, the delegates representing such local unions shall be permitted at reasonable times and places to examine any books, records, and accounts necessary to verify said reports.

Section 13.03 Every delegate to this organization shall be expected and required to recognize a responsibility to this organization as an institution and shall refrain from all activities which are inconsistent or in conflict with that responsibility. In addition, every delegate shall refrain from conduct that would interfere with the duty of this organization to perform its legal or contractual obligations.

ARTICLE 14: POLITICAL ACTIVITIES

Section 14.01 No delegate, trade division or affiliated local union of this Conference shall have the right to use the name of the Conference for the purpose of assisting anyone or any issue politically, without the approval of the Executive Board.

ARTICLE 15: SAVINGS CLAUSE

Section 15.01 If any provision of this Constitution and By-Laws shall be declared invalid or inoperative, by any competent authority of the Executive, Judicial or Administrative branch of federal or state government, the Executive Board shall, pending the next meeting of the delegates, 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 objectives to its validity and which will be in accord with the intent and purpose of the invalid provision. If any article or section should be held invalid by operation of law or by any tribunal of competent jurisdiction, the remainder of this Constitution and By-Laws 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 16: AMENDMENTS

Section 16.01 Any delegate, officer, or the Executive Board may propose amendments to this Constitution and By-Laws. The proposed amendments must be made in writing at a regular or special meeting of the delegates, and shall be read at that meeting, and acted upon at the next regular or special meeting of the delegates. Amendments approved by a majority vote of the delegates present and voting at the meeting at which such amendments are voted upon shall be sent to the General President of our International Union for approval, and upon such approval shall be in full force and affect.

Approved by the Executive Board of Missouri and Kansas Conference of Teamsters
October 13, 1997.

Approved by the delegates to the Missouri and Kansas Conference of Teamsters
October 13, 1997.

Approved by the delegates to Missouri-Kansas and Nebraska Conference of Teamsters
October 4, 2001.

Approved by the International Brotherhood of Teamsters June 17, 1998,
Office of the General President.