

UNION CONSTITUTION PROVISIONS:

Election and Tenure of National and International Union Officers 1958

- Qualifications for Office
- Nominating and Election Procedures
- Term of Office
- Presidential Salaries
- Removal Procedures

Bulletin No. 1239

UNITED STATES DEPARTMENT OF LABOR
James P. Mitchell, Secretary

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Preface

The U. S. Department of Labor's Bureau of Labor Statistics maintains a current file of national and international union constitutions for public and governmental use, and from time to time undertakes studies of constitution provisions. The subjects covered in recent years include anti-Communist and strike-control provisions in union constitutions.

This study of the formal provisions governing the election and tenure of national and international officers was based on constitutions in effect at mid-1958. Membership figures were derived from the Bureau's Directory of National and International Unions in the United States, 1957 (Bulletin 1222). Rules governing the election and tenure of officers of the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO) are briefly summarized in the appendix.

This report was prepared in the Bureau's Division of Wages and Industrial Relations by Harry P. Cohany and Irving P. Phillips, under the general direction of Joseph W. Bloch. Henry S. Rosenbloom assisted in the preparation of the tabulations.

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Union Constitution Provisions:

Election and Tenure of National and International Union Officers

1958

Introduction

Provisions regulating the election of union officers, the conduct of these officers, the internal administration of unions, and the rights of union members have recently received widespread public attention. Hearings before Congressional Committees have disclosed a record of misdeeds on the part of some union officials and have led to legislative proposals designed to curb various abuses and to make union leaders more responsive to membership controls. A related development has been the adoption by the AFL-CIO of a series of Ethical Practices Codes which establish standards for financial responsibility and democratic administration of internal union affairs.

This bulletin analyzes the formal rules stipulated in union constitutions governing the election and tenure of international union officers, the qualifications necessary to hold union office, nominating and election procedures, terms of office, salaries and allowances of union presidents, and removal procedures. It is essentially a summary of union laws, in effect in 1958, and does not extend to union practices.

The study covered the constitutions of 111 national and international unions,¹ each with 10,000 or more members.² These 111 unions accounted for 17,641,000 members, or approximately 96 percent of total membership of all national and international unions in the United States. Local union constitutions were not studied.

Qualifications for Office

Union Membership and/or Industry Experience.—Union constitutions frequently required that prospective international union officers must have been union members for a specified number of years, and must have obtained some "on the job" experience in the trades or industries represented by the unions. Such requirements, it is reasonable to assume, were designed to assure a national leadership which has established a record of participation in union affairs and is familiar with the problems of the industry. This prerequisite was further emphasized in a few unions where contenders for top offices must have met longer minimum membership requirements than contenders for lesser national posts. The following examples from several union constitutions illustrate these qualifications:

No one shall be eligible as an officer except a member having 5 years' continuous good standing immediately prior to election.
(International Brotherhood of Electrical Workers)

* * *

¹ Throughout this bulletin, the terms "national" and "international" union are used interchangeably.

² According to the Directory of National and International Labor Unions in the United States, 1957 (BLS Bull. 1222), there were 125 national and international unions in the United States with 10,000 or more members. For 14 unions, current constitutions were not available. These 14 unions accounted for 464,000 members; included among these were 5 representing 195,000 Government postal employees.

To be eligible for election to any office of a local union or the International Union, a member must be in continuous good standing for a period of 2 years prior to nomination for said office and must have worked at the craft as a member for a total of 2 years. . . . (International Brotherhood of Teamsters)

* * *

Any member is eligible to office in the International Association who has been a member in good standing in the Association for 2 years, with the exception of the President, who shall have been a member in good standing for at least 3 years preceding such election. (Amalgamated Association of Street, Electric Railway and Motor Coach Employees of America)

* * *

No person shall be eligible for nomination or election as General President, General Secretary-Treasurer or as a Vice President, unless he shall have been a member of the International Union in continuous good standing for the period not less than 24 months, in the case of General President or General Secretary-Treasurer, and 12 months, in the case of Vice Presidents, immediately preceding the convention. (Textile Workers Union of America)

Constitutions which listed trade experience as one of the qualifications usually waived this requirement for members holding union office or those employed on the union staffs, as in the following example:

Any beneficial member, who is a journeyman of the Brotherhood, shall be eligible as a General Officer, who has been in continuous good standing for 5 years previous to election, who has been actually engaged at the trade for 1 year immediately prior to the date of election (or of nominations when elections are held by the referendum) and who is not otherwise disqualified by the provisions of this constitution. Provided, however, that the requirement of being engaged at the trade shall not be construed to prevent the election of a member, otherwise qualified, who is employed as a General Officer or agent or officer of the Brotherhood, a District Council of the Brotherhood, a local union or other subordinate body of the Brotherhood, the American Federation of Labor, a State Federation of Labor . . . (Painters, Decorators and Paperhangers of America)

Although in most unions, a member who meets one or more of the above qualifications can become a candidate for a top elective office, a few constitutions further stipulated that candidates must be chosen from among the convention delegates. Incumbent officers were either exempted from this requirement or were declared delegates by virtue of present office holding, as indicated in the following examples:

. . . All candidates for International Office who are not the incumbents of an International Office or who are not International Representatives must be duly elected and qualified delegates seated in the convention in which such officers are elected. (American Flint Glass Workers' Union of North America)

* * *

The officers of the URW shall be elected by and from the delegates assembled in convention. . . . All International Officers shall be delegates to the International Convention by virtue of their office, with all rights and privileges of other delegates but without vote unless elected delegates by their own local union. (United Rubber, Cork, Linoleum and Plastic Workers of America)

Criminal and Other Conviction Bans.—As stipulated in a relatively small number of constitutions (23), certain criminal acts and/or keeping the membership in ignorance of such acts, or misdeeds against the union, disqualified a member from running for international office. In a few instances, ineligibility could result only from a conviction before a court of law; more frequently mentioned, however, were convictions before a union tribunal. Several unions required a prospective officer to be "free from any delinquency to the union," and a few barred anyone found guilty of "any dishonorable act" or of "any offense against the International." Seven constitutions referred specifically to embezzlement of union funds, and one to accepting bribes from employers, as reason for ineligibility.

No person who has been convicted of a felony shall be eligible to hold office. (Building Service Employees International Union)

* * *

No person convicted of grand larceny, forgery, bribery, extortion, receiving money under false pretenses or any other felony, which conviction has not been made known to the body prior to his election, shall be eligible to hold office in the International Union or any affiliated union or subordinate body. The term felony shall not be construed to apply to any offense committed by a person on behalf of and in the interest of a labor organization. (Retail, Wholesale and Department Store Union)

* * *

No member shall be eligible to hold office in the National Maritime Union who, while a member of this union, was found guilty by a court or any trade union or fraternal organization of a crime defined as a felony or, if a lesser crime, one that is offensive to the morals of society, provided the conviction is in no way related to trade union activities. The National Office and/or the National Council shall determine fitness under this clause. (National Maritime Union of America)

* * *

Any member who fails properly to account for union funds intrusted to his care or who misappropriates funds belonging to the union shall not be eligible to hold any office within the union. . . . (Commercial Telegraphers' Union)

* * *

Any International, State, Provincial or subordinate union officer found guilty of accepting any bribe or present from any corporation, contractor or association shall be immediately suspended from office and upon conviction shall be fined not more than \$1,000, and be rendered ineligible to hold any office. . . . (Bricklayers, Masons and Plasterers International Union of America)

Subversive Bans.—To guard against the possibility that trade unions might be utilized for other than legitimate purposes and functions, many constitutions contained provisions which barred from membership and/or office any "member," "supporter," or "advocate" of Communist, Fascist, or "subversive" groups and ideologies.³ Most frequently, "catch all" clauses closed the union to any adherent of undemocratic movements.

Although the antisubversive provisions in some constitutions referred to members only, they could be considered as affecting officers as well because of the general requirement that elected officers must be fully qualified members. Also, it is unlikely that officers would be less subject to such provisions than the rank and file. For example:

No member of the Communist Party or any other subversive organization nor any other person who advocates or works for the overthrow of the United States . . . by any means whatsoever can remain an executive officer . . . (International Brotherhood of Bookbinders)

* * *

No person shall be eligible for, or continue to hold any office in the International Union or any of its subordinate affiliates or serve as a convention delegate or other representative of an affiliate, if such person associates himself with Communist, Fascist or similar organizations, or the Ku Klux Klan, or Columbians. Such eligibility shall likewise be denied where a person associates himself with, lends support or subscribes to the subversive doctrines of the organizations enumerated herein, similar organizations, or any organization or group that expounds or promotes any doctrine of philosophy inimical or subversive to the fundamental purpose of the constitution of the Government of the United States (Canada in the case of Canadian Residents), American Federation of Labor and Congress of Industrial Organizations, or this International Union. (Hotel and Restaurant Employees and Bartenders International Union)

The Labor Management Relations (Taft-Hartley) Act of 1947 requires the filing of anti-Communist affidavits by officers of unions seeking to use the facilities of the National Labor Relations Board. The anti-Communist provisions adopted by the two major unions which had not, up to mid-1958, filed such affidavits, the United Mine Workers of America and the International Typographical Union, read as follows:

Any member accepting membership in the Industrial Workers of the World, the Working Class Union, the One Big Union, or any other dual organization; or membership in the National Chamber of Commerce, or the Ku Klux Klan, or the Communist Party, or Fascist, Nazi or Bund organizations shall be expelled from the United Mine Workers of America, and is permanently debarred from holding office . . . (United Mine Workers of America)

* * *

³ For the precise nature and general prevalence of such provisions, see *Anti-Communist Provisions in Union Constitutions* (in *Monthly Labor Review*, October 1954, p. 1097).

It is the duty of each and every member of the Union not to belong to any groups or organization of any kind which advocates the overthrow of the Government of the United States or Canada by force and violence. The Communist Party has been proven such an organization. [To qualify for office, membership "in continuous good standing for at least 1 year" is required.] (International Typographical Union)

Age Limits.—Specific age limits at which officers must retire or at which they become ineligible to hold office were rarely established by union constitutions. One of the few constitutions which established a definite age limit for candidates for office read as follows:

Any member who is in good standing in the beneficiary department, and not over 70 years of age, shall be eligible to any of the elective offices. (National Postal Transport Association)

A few constitutions which provided for a compulsory retirement age also stipulated that an officer could continue to serve with the approval of the union's governing body. This arrangement was expressed by the United Mine Workers as follows:

. . . an officer, Executive Board member or employee shall retire from the service of the United Mine Workers of America upon his 70th birthday. Exceptions to this obligatory retirement age may be made by the International Executive Board if it finds it necessary to continue the services of an officer, Executive Board member or employee.

Somewhat more frequent were clauses which established an automatic retirement age, that is, an age beyond which no one could hold a salaried office. For example:

All officers . . . of the International Union receiving compensation for their services shall be retired at the age of 65, provided, however, that the General Executive Board may extend the retirement age for an additional period or periods, but in no case beyond the age of 70. (United Hatters, Cap and Millinery Workers International Union)

A slight variation of the above provision which permitted officers to complete their term of office was stipulated in the constitutions of the International Association of Machinists and the United Rubber Workers, respectively:

Persons covered by the pension plan . . . may retire at the age of 60 years with the approval of the Executive Council and must retire at the age of 65 years, provided, however, that should an officer reach retirement age within 1 year prior to the call for nominations in Grand Lodge elections, said officer shall be privileged to complete his term of office.

* * *

Elected officers who attain the age of 65 during their term of office may retire upon the attainment of age 65, but shall be required to retire at the end of such term of office.

Nominating and Election Provisions

Virtually all union constitutions set forth the procedures by which union members nominate and elect their executive officers.⁴ These procedures were described in varying degrees, ranging from brief references to detailed descriptions of every step of the process.

The union convention is typically the forum where presidents are nominated and elected. This method was followed by 80 of the 111 unions studied (table 1). For the next largest number of unions, 16, nominations took place at local union meetings, and elections were decided by a membership referendum. Nine unions followed the practice of nominating at conventions, but electing by membership referendum.

TABLE 1. Procedures for nomination and election of international union presidents provided in union constitutions, 1958

Procedure	Total		Union affiliation			
			AFL-CIO		Unaffiliated	
	Number	Members (thousands)	Number	Members (thousands)	Number	Members (thousands)
All unions studied	111	17,641	96	14,707	15	2,934
Nominated and elected by convention	80	11,557	68	9,243	12	2,314
Nominated at convention; elected by membership referendum	9	1,176	7	1,006	2	170
Nominated at local union meetings; ¹ elected by convention	2	56	2	56	-	-
Nominated at local union meetings; ¹ elected by membership referendum	16	4,291	15	3,841	1	450
Nominated both at local union meetings and at convention; elected by convention	1	49	1	49	-	-
Nominating provisions not given; elected by convention	3	512	3	512	-	-

¹ Includes a few constitutions which permitted a member to submit his own nomination, either by circulating a petition or by placing his name on the list of candidates.

Nominating Procedures.—As indicated in table 1, 89 of the 111 unions provided for the nomination of candidates for international president by convention and 18 by local unions or individual members. In one union, candidates were nominated by both the convention and local unions. Nominating procedures were not described in three constitutions.

The following clauses typify nomination by convention:

All nominations for International Officer shall be made in open convention . . . (Building Service Employees International Union)

* * *

On the last day of the convention, the International President, the International Secretary-Treasurer, and the 4 Vice Presidents and the members of the General Executive Board shall be nominated and elected by the assembled delegates at the convention. (United Furniture Workers of America)

⁴ Procedures described in this bulletin applied, in the main, equally to union presidents and other international officers.

A clause which provided for the nomination at a local union meeting reads as follows:

Each local union shall have the right to nominate a member for each office to be filled. The International Secretary-Treasurer shall prepare nomination blanks and send them to the local unions not later than 90 days before the date of election and the local union Recording Secretary shall fill in the names of the members nominated by the local union for the various offices and forward the same to reach the International Secretary-Treasurer's office not later than 60 days before the date of election. . . . (United Steelworkers of America)

The constitution of the Amalgamated Lithographers of America permitted the convention and the local union to nominate candidates:

Nominations for International officers shall be made at the convention. . . .

In addition to nominations at convention, each local may nominate one additional candidate for each elective office. . . .

A few unions permitted any member to nominate himself, provided that he was able to obtain sufficient endorsement from either members or local unions:

Any member who is in good standing . . . shall be eligible to any of the elective offices of the association . . . and, upon written application addressed to the Secretary, designating the office he desires, shall have his name placed upon the official ballot as a candidate, provided, . . . such member shall file . . . a statement bearing the signatures of not less than 2 percent of the members of the association (not more than one-half of which required signatures shall be from any one division), as an endorsement of his candidacy. . . . (National Postal Transport Association)

As the above clause indicates, a candidate's chance for nomination may depend on obtaining a given number of endorsements, either from a proportion or number of the membership, local unions, or delegates. Such requirements were found in 10 constitutions. Seven other unions narrowed the field further by permitting only a specific number of nominees to compete, usually the two obtaining the highest number of endorsements or votes.

The following two clauses are examples of provisions requiring a candidate's endorsement by a number of local unions and by a proportion of convention delegates, respectively:

No one shall be placed on the official ballot who has not been nominated by at least 25 local unions. (Retail Clerks International Association)

* * *

All International Officers . . . shall be nominated and elected by the convention unless there is a contest for any such office. . . . In case of a contest, in order for a nomination of International Officers to be valid it must be seconded by at least 20 percent of the delegates present. (International Union of the Doll and Toy Workers of the United States and Canada)

Provisions limiting the number of final nominees read as follows:

The nomination and primary election of titled officers shall be held on the last day of the convention. . . . There shall be no limit to the number of nominees.

A roll-call vote shall be held and the 2 nominees receiving the highest number of votes shall be declared elected in the primary election.

The nominees so elected in the primary election shall be placed on a referendum ballot for a vote of the entire International membership for final election. (International Longshoremen's and Warehousemen's Union)

* * *

. . . Local lodges may, by a majority vote of those voting, endorse one candidate for each elective office. . . .

From the endorsements received from the local lodges, there shall be selected for each elective position the 2 candidates receiving the highest number of endorsements, and the 2 so selected shall constitute the candidates on the final ballot. [The constitution further requires each candidate to be endorsed by at least 10 different local lodges.] (International Association of Machinists)

The International Brotherhood of Operative Potters was the only union among those studied which held a membershipwide primary to determine the two top nominees for an international office. Its constitution provided that:

Each local union shall have the privilege of nominating one or more members . . . for International President, Secretary-Treasurer . . .

The nominees shall not necessarily be confined to their respective locals. . . .

Nominations shall take place on the second meeting night of the local union in January. The names of the nominees must be in the International Secretary's office within 10 days after the date of such meeting. . . .

The International Secretary shall prepare a ballot listing the names of all nominees in alphabetical order. . . . He shall forward to each local union sufficient ballots and a return addressed envelope. The primary election of International officers shall take place on the first Tuesday following the first Monday in March. . . .

The 2 nominees receiving the highest number of votes for any office shall be the only candidates eligible to contest in the regular election. . . .

Elections and Balloting.—Union officers are most frequently elected by local union delegates at national conventions. This procedure was stipulated in 86 of the 111 constitutions studied. The remaining 25 constitutions provided that officers were to be elected by direct participation of the membership in a referendum vote.

Of the 86 unions which elected officers at convention, 23 stipulated a roll-call method of voting and 15 the secret ballot (table 2). Sixteen of the 25 unions holding a membership referendum specified either voting by secret ballot or, when not using the term "secret," described voting procedures in sufficient detail to convey the intent of secrecy. The provisions of 26 constitutions (17 providing for election by convention and 9 by referendum) referred to "balloting," but did not use the term "secret," nor did the procedure rule out the possibility of open balloting. In this connection, it must again be emphasized that this study was confined to the formal provisions of union constitutions; use of the secret ballot may well be the intent and the practice in many of these unions, especially in those relying upon a referendum.

TABLE 2. Voting procedures for electing international union presidents provided in union constitutions, 1958

Procedure	Total		Union affiliation			
			AFL-CIO		Unaffiliated	
	Number	Members (thousands)	Number	Members (thousands)	Number	Members (thousands)
All unions studied	111	17,641	96	14,707	15	2,934
Elected at convention	86	12,174	74	9,860	12	2,314
Roll-call vote	23	5,676	19	4,006	4	1,670
Secret ballot	15	1,571	13	1,464	2	107
Ballot ¹ (no specific reference to secrecy)	17	1,901	14	1,734	3	167
No provision	31	3,026	28	2,656	3	370
Elected by membership referendum	25	5,467	22	4,847	3	620
Secret ballot	16	2,298	14	2,128	2	170
Ballot ¹ (no specific reference to secrecy)	9	3,169	8	2,719	1	450

¹ The use of ballots, in practice, may involve complete secrecy, a substantial degree of secrecy, or perhaps none. These constitutions provided for use of ballots, but did not specify a procedure including the word "secret" or its equivalent.

The constitutions of 31 unions, including a few fairly large organizations (table 3), simply specified that "international officers shall be nominated and elected in convention" without defining the voting procedure to be used. Precedent may be the determining factor in these instances. Constitutions typically provided for a committee (often appointed by the president) to draft convention rules which frequently embodied voting procedures. (The convention rules are normally adopted on the first day of the convention.)

TABLE 3. Voting procedures for electing international union presidents provided in union constitutions by size of unions, 1958

Size of union	Total	International union president elected by—							
		Convention					Referendum		
		Total	Roll call vote	Secret ballot	Ballot ¹	No provision	Total	Secret ballot	Ballot ¹
All unions studied	111	86	23	15	17	31	25	16	9
10,000 and under 25,000 members	18	14	2	4	-	8	4	3	1
25,000 and under 50,000 members	20	14	5	2	3	4	6	4	2
50,000 and under 100,000 members	30	24	7	4	8	5	6	5	1
100,000 and under 200,000 members	19	17	3	2	4	8	2	1	1
200,000 and under 300,000 members	9	9	1	2	1	5	-	-	-
300,000 and under 400,000 members	5	2	-	1	-	1	3	2	1
400,000 and under 500,000 members	4	3	2	-	1	-	1	-	1
500,000 and under 1,000,000 members	3	1	1	-	-	-	2	1	1
1,000,000 members and over	3	2	2	-	-	-	1	-	1

¹ The use of ballots, in practice, may involve complete secrecy, a substantial degree of secrecy, or perhaps none. These constitutions provided for use of ballots, but did not specify a procedure including the word "secret" or its equivalent.

An examination of convention proceedings for several of these unions revealed a frequent use of the secret ballot in contested elections for national or international offices. However, the absence of a formal constitutional provision characterized the voting procedures of these 31 unions.

Union constitutions which provided for the election of officers by roll-call vote typically referred to this procedure very briefly:

. . . elections shall be by roll call where there is more than 1 candidate for any office. (International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America)

* * *

The election of officers shall be held at the regular convention. . . .

Ballots shall be cast orally by delegates from the floor of the convention. (Seafarers' International Union of North America)

Similarly, unions which used the secret ballot in convention voting did not go into detail on this procedure in their constitutions. Examples of clauses calling for convention delegates to vote by secret ballot follow:

All elections shall be conducted by secret ballot; ballots shall show only the voting strength of delegates, names of candidates and office for which nominated. (Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees)

* * *

The President and Secretary-Treasurer shall be elected by delegates voting their representation. . . . Voting shall be by secret ballot and thereafter tabulated. . . .

The election rules governing the election of officers of this International Union shall be as devised and specified by regular conventions, subject to the provisions of this constitution. . . . (Office Employees' International Union)

* * *

. . . The elections shall be decided by majority vote by secret ballot, supervised by an Election Committee of 5 elected by the convention, which shall distribute and receive ballots, and also tally and announce all results in the presence of the convention. . . . (The International Association of Heat and Frost Insulators and Asbestos Workers)

However, unions which use the secret ballot in membership referendums frequently described in considerable detail the mechanics of the entire operation, a practice probably explained by the administrative problems which may arise in conducting a poll of this type. Since such elections are conducted by numerous and farflung local unions, the national constitution, in order to assure uniformity, establishes precise rules and procedures. The following clauses are illustrative of provisions requiring secret voting in a membership referendum:

Members desiring to vote shall retire to the election booth or anteroom and there in secrecy prepare their ballots. No member shall remain in the booth or anteroom longer than 3 minutes;

the voter shall then fold the ballot and present it to an inspector; without opening the ballot, the inspector shall deposit the ballot in the box. . . . Immediately after the closing of the polls, the Inspectors of Election shall proceed to open the ballot box containing the ballots, and count and record the votes for each candidate. . . .

The Inspectors of Election shall place the ballots cast, together with the return certificate of the result, signed in their own handwriting, in one envelope, a box, and securely close and seal the same, and shall forward the ballots to the International Canvassing Board. . . .

The members selected as the International Canvassing Board shall meet at the office of the International President-Secretary-Treasurer at 10 o'clock on the morning of the first Monday in June following an election. They shall then formally, and in the presence of each other, open the containers containing the ballots . . . and ascertain and verify the result of the election. . . . (Metal Polishers, Buffers, Platers and Helpers International Union)

* * *

The election of officers of this union shall be held in each local union on the fourth Tuesday in June in the scheduled election year. . . .

Each local union, before the polls are opened, shall select 3 inspectors of election for each polling place. . . .

The inspectors of election shall post the sample ballot . . . in a conspicuous place in the polling place; . . . they shall hand each member, after they have found him to be in good standing . . . , an official ballot . . . ; they shall permit each qualified member to cast his ballot in secret; . . .

After the vote is counted and recorded, the inspectors shall place the ballots and the tally sheet, signed by each inspector, in an envelope . . . and securely close and seal the same. . . .

Between May 20th and May 25th in the election year, the International Secretary-Treasurer shall send to each member of the Executive Council of this union a list of all local unions in good standing. Each member of the Executive Council shall thereupon immediately vote for 3 local unions. The 3 local unions receiving the greatest number of votes shall be notified by the International Secretary-Treasurer to each select one of its members to constitute the General Canvassing Board. No candidate, nor Executive Council member nor International Organizer or Representative shall be eligible to serve as a member of the General Canvassing Board.

The members of the General Canvassing Board shall meet at the office of this union at 10 a. m. on the third Thursday in August whereupon they shall open the envelopes . . . and ascertain and verify the results of the election. . . . After the results have been verified . . . the Board shall place the ballots, tally sheets and a copy of its report in a securely sealed box or package which shall not be opened except upon application to the Executive Council by 10 percent of the local unions in good standing. . . . (United Brick and Clay Workers of America)

An example of a union which does not use the term "secret" in defining its voting procedure, but was included in the "secret ballot" category, is the International Association of Machinists. In this instance, the details and mechanics of the voting procedure seem to rule out any other interpretation:

All ballots shall bear the seal of the Grand Lodge, and be so arranged that voters may designate their choice by marking an (X) opposite the names of those for whom they wish to record their votes. Ballots shall be perforated so that the name, address, lodge number and card number of member voting may be detached. Both the ballot and the perforated detachable stub shall contain a corresponding serial number.

The General Secretary-Treasurer shall supply local lodges with a sufficient number of such ballots on or before April 1, and no other ballots shall be used. He shall tally sheets in duplicate, upon which shall be tabulated the votes of the members of the local lodges. One tally sheet shall be retained by the Recording Secretary of the local lodge and one shall be returned to the General Secretary-Treasurer.

The election of Grand Lodge officers . . . shall be held on the 1st regular meeting of each local lodge in April, in the local lodge room where the regular local lodge meetings are held, excepting in the local lodges where circumstances require some other arrangement, the local lodge may, through its bylaws, provide other methods subject to the approval of the International President.

[Subsequent sections deal with voting qualifications, notifications and absentee voting.]

At the last regular meeting in March, of each 4-year period following March 1957, each local lodge shall elect 3 members as inspectors of election who shall receive, record and count the vote of the members. . . .

All ballots must be marked in ink or pencil. . . . All votes are to be deposited in the presence of at least 2 of the inspectors. No member shall be allowed to fill out the ballot for any other member.

Any member who, after due trial, is found guilty of illegal voting or in any other way preventing an honest election shall be liable to a fine or expulsion. . . .

Among the 17 union constitutions which provided that convention delegates decide contested elections by ballot, but which did not specifically designate the use of secret ballots, were those of the Sheet Metal Workers' International Association and the International Molders and Foundry Workers Union of North America, excepted below, respectively:

When there are 2 or more candidates for any general office the vote for such office shall be by ballot and such ballots shall be cast by each duly qualified and seated delegate. . . .

The presiding officer shall appoint 2 tellers and a judge; shall announce the names of the nominees in the order of their nomination and a vote shall be taken. The tellers shall then collect and count the votes cast and the presiding officer shall declare the result.

* * *

The election shall be by ballot. . . .

. . . the President . . . shall appoint . . . two tellers and a clerk, who shall keep a correct record of the votes. . . .

The following clauses illustrate provisions which were classified as "ballot, no specific reference to secrecy," taken from union constitutions requiring election by membership referendum:

The elections shall be decided by referendum vote of the entire membership. . . .

Provision must be made whereby all members may have an opportunity to cast their vote within the prescribed time. . . .

. . . The President and Secretary of each local are required to forward to the Secretary of the Referendum Board a complete report of the number of votes cast for each candidate and the number of defective ballots. . . . (Amalgamated Lithographers of America)

* * *

The International Secretary-Treasurer shall prepare ballots giving the names and places of residence of those accepting nominations . . . and forward them to the local unions in sufficient numbers. . . .

Each local union shall designate . . . where its election shall be held, and the place so designated shall be the official voting place of such local union, and under no circumstances shall the votes of any local be tabulated in any place other than the place designated by the local union. . . .

Each local union shall elect from among its members a committee of not less than 3 nor more than 6 . . . to act as local tellers, whose duty shall be to supervise the election, and when requested, instruct the members how to vote, and tabulate the votes cast by the members for International Offices. . . .

No member other than the local tellers shall be allowed to loiter around the voting place or to interfere in any way with the election of any local union.

Any local officer or teller failing to obey the laws regulating International elections, or any member or members interfering with local officers or tellers . . . or any member or members resorting to dishonest or questionable practices to secure the election or defeat of any candidate for International office shall be tried by the International Executive Board and fined, suspended, or expelled, as the magnitude of the transgression may warrant. (United Mine Workers of America)

Although most unions prefer to elect presidents at a convention rather than by a membership referendum, the specific method is not necessarily determined by a union's size. Both devices are used by unions large and small (table 3). Of the 6 unions with 500,000 or more members, 3 elect at convention, and 3 by membership referendum. Generally, larger unions tend to formalize election procedures to a greater extent than do smaller ones. All but 6 of the 31 unions which did not establish the method of convention voting had less than 200,000 members. Of the 26 unions not clearly requiring a secret ballot, 21 had a membership of less than 300,000.

The majority concept appears most prevalent among the provisions governing votes needed for election of international union presidents. Fifty-seven of the 111 international union constitutions required a majority of all votes cast; 4, a majority of all eligible votes, and 2, votes of a majority of delegates present. Twenty-four required a plurality of all votes. The remaining 24 constitutions did not state the requisite proportion of votes (table 4).

TABLE 4. Constitutional provisions governing votes needed for election of international union presidents and other international union officers, 1958

Provision	International union presidents		Other international union officers	
	Unions	Members (thousands)	Unions	Members (thousands)
All unions studied -----	111	17,641	111	17,641
Majority of all votes cast -----	57	8,664	53	8,048
Majority of all eligible votes -----	4	473	4	473
Plurality of all votes -----	24	5,910	26	6,025
Other provisions -----	¹ 2	115	² 5	627
No provisions -----	24	2,480	23	2,469

¹ Provided for majority vote of delegates present.

² 2 constitutions provided for majority vote of delegates present; in 3 constitutions, international officers were voted on simultaneously and a specified number of candidates receiving the most votes were declared elected.

NOTE: Because of rounding, sums of individual items do not necessarily equal totals.

Should a candidate fail to achieve a majority on the first ballot, the typical provision required that (1) the two highest candidates were to appear on the next ballot, or (2) the candidate receiving the lowest number of votes was to be eliminated in each subsequent voting until one of the contestants received a majority.

For the office of President, Vice-President, Secretary and Treasurer, a majority of votes cast is necessary to elect. In case of nominees not receiving a majority of votes for their respective office, all but those 2 nominees for said office receiving the highest vote shall be dropped and a second ballot shall then be taken for such officers, and the candidate receiving the majority of votes shall be declared elected. (American Federation of Musicians)

* * *

. . . election shall be determined by a majority vote of the delegates voting.

. . . the candidate receiving the lowest number of votes shall be eliminated in the runoff election, and in each successive runoff election the candidate receiving the lowest number of votes shall be eliminated. . . . (United Automobile, Aircraft and Agricultural Implement Workers of America)

Voting procedures and regulations usually do not become effective if only one candidate is running for a specific office. Since the absence of any opposition makes the sole candidate's election a foregone conclusion, the presiding (or other

union) officer was instructed in some constitutions to cast a unanimous ballot typically as follows:

If there is no contest, the convention may instruct the Secretary to cast one ballot for all the nominees, all other laws to the contrary notwithstanding. (American Federation of Musicians)

* * *

. . . if there is but one candidate no balloting shall be necessary, but the presiding officer shall declare such candidate duly elected. (Brotherhood of Locomotive Firemen and Enginemen)

Under constitutions which provided for the election of officers by referendum, each eligible union member was to cast his own ballot. Where officers are elected at a convention, a delegate's voting strength is usually scaled to reflect the number of members he represents, although the specific formulas set forth in the constitutions differ considerably. For instance, the constitution of the International Brotherhood of Electrical Workers stipulated that "each local union shall be entitled to a per capita tax vote on members; that is, one vote for each member in good standing. . . ." Under this arrangement, the delegates of a local union with 5,000 members would be entitled to cast a total of 5,000 votes. Since the number of delegates usually increases with local union size, possible split voting may be ruled out under the unit rule, as illustrated below:

The vote of each local union shall be decided by a majority of its delegates. If the delegates of a local union are equally divided, then that local union shall have no vote. . . .

Other unions followed a variant of the above arrangement by dividing equally among the delegates the vote a local union may cast. Thus, the constitution of the Insurance Workers of America stipulated that a local with 400 members is entitled to send 4 delegates, with each delegate casting 100 votes.

More frequently, local unions were entitled to 1 delegate for each designated number of members, with each delegate limited to 1 vote, as follows:

All local unions . . . are entitled to representation as follows: 1 delegate for the first 100 members or fractional part thereof, and 1 additional delegate for each 300 additional members . . . in no case shall a delegate be entitled to more than 1 vote. (Amalgamated Meat Cutters and Butcher Workmen of North America)

A few constitutions provided for a single delegate to cast all the votes of a local union, with the number of votes determined by a system of proportional representation:

Lodges of 150 or more members shall be entitled to 1 delegate. . . . The delegate to have the voting power of the lodge electing him based on 1 vote for the 150 and 1 additional vote for each additional 150 members or major fraction thereof. (Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employes)

Several international unions limited the number of delegates a local may send. With each delegate holding only one vote, this device, in effect, dilutes

the relative strength of larger local unions. The following constitutional clause illustrates this point:

From local unions having 150 members there shall be 1 delegate; from 151 members to 300 members, 2 delegates; . . . from 1,201 members to 1,600 members, 6 delegates; . . . from 2,101 members and up, 8 delegates. No local union shall have more than 8 delegates. . . .

Each delegate shall be entitled to one vote. (International Jewelry Workers' Union)

Election of Executive Board Members.—In most unions, members to the union's governing body, designated as the "general executive board," "international council," "grand lodge," etc., were elected in the same manner and at the same time as the international president, that is, either by convention delegates or by membership referendum.⁵ As a rule, each executive board member was to be voted on separately, but in three unions the officers were voted on simultaneously and a specified number of candidates receiving the most votes declared elected. For example:

The office of the General President and General Secretary-Treasurer shall be decided by a majority vote cast; the officers of the 11 Vice Presidents shall be filled by the 11 candidates receiving the 11 highest votes cast. (International Jewelry Workers' Union)

A substantial number of union constitutions provided for election of representatives to the general executive board on a geographic basis, by vote of delegates or members from each area. A few provided for representation by governmental units of the union; e. g., "divisions" or "systems" which are often based on major companies under contract.

Ten unions required that members of the executive board be elected by the delegates from each district assembled in convention. This was typically expressed as follows:

. . . The International Executive Board shall be composed of the International Officers and one District Director for each geographical district. . . .

District Directors shall be elected by duly accredited delegates from their respective districts to the International Convention meeting in special session for this purpose. (United Packinghouse Workers of America)

* * *

⁵ As a rule, governing bodies of unions are composed of president, secretary-treasurer, and a designated number of vice presidents. Several unions have more than one governing body. Under such arrangements, different procedures may govern the election to specific bodies. This is not to be confused with situations where top executive officers, e. g., the president and the secretary-treasurer, are elected by all convention delegates or the entire membership, while other international officers are elected by district delegates or other designated groups of members.

The election of members of the General Executive Board from each region shall be conducted under the supervision of the International Secretary-Treasurer at the regular biennial convention in regional caucuses of seated and accredited delegates. A majority of the per capita roll-call votes cast by each of the seated delegates and present at such caucuses shall elect such members to the General Executive Board. (Insurance Workers of America)

The following clauses illustrate how representatives from divisions determined by major collective bargaining agreements, in addition to area representatives, made up the governing body of the Commercial Telegraphers' Union:

The International Executive Board members shall be elected from eligible members within the divisions of the International Union as indicated herein below, to wit:

Four members from the Western Union Division;
 One member from the Southern Division;
 One member from the Southwestern Division;
 One member from the Canadian National Division;
 One member from the Canadian Pacific Division;
 One member from the combined jurisdictions of the Associated Press, Canadian Press, International News Service and United Press Divisions;
 One member from the combined jurisdictions of the Canadian Radio Division; Radio Officers' Union and Trans-Canada Airlines Divisions; and
 One member from the combined jurisdictions of the Eastern Broker, Press Wireless and Western Broker Divisions.

Only the delegates to the International Assembly who are members of the group of Divisions in which the proposed member of the International Executive Board holds his union membership shall be entitled to vote in the election of the IEB member from that group. . . .

The election of executive board members by area referenda was stipulated in the constitution of seven unions, and was typically expressed as follows:

The elections shall be decided by referendum vote of the entire membership, except that:

Each nominee for International Councillor shall be nominated and elected only by the membership of the region in which he holds local membership. (Amalgamated Lithographers of America)

In the International Longshoremen's and Warehousemen's Union, executive board members were to be nominated in a caucus made up of convention delegates from the designated areas, and elected in an areawide referendum. Provision was also made for a primary election to decide nominees:

At the convention, caucuses of the delegates from each of said areas shall be held at the times and places designated by the International President for the purpose of the nomination and primary election of Executive Board members.

The nomination and primary election of Executive Board members shall be conducted by each caucus in the same manner as such nominations and primary elections are conducted for titled officers by the convention. . . . Under these rules, the two nominees receiving the highest number of votes are declared elected in the primary election. Referendum ballot shall be conducted for election of Executive Board members in the same manner and at the same time as titled officers, provided that only the members of the locals within each area . . . shall vote for Executive Board members for their respective areas. . . .

Selection of Convention Delegates

In most of the international union constitutions, the rules governing the selection of convention delegates were stated briefly, if at all. Seventy constitutions stipulated that delegates be "elected," and 10 other constitutions contained no reference to this matter (table 5). In these latter unions, selection of convention delegates was presumably left to the discretion of the local union. Only nine constitutions directed the use of the secret ballot.

TABLE 5. Methods of selecting convention delegates provided for in union constitutions, 1958

Method	Total		International union president elected by—			
	Number	Members (thousands)	Convention		Referendum	
			Number	Members (thousands)	Number	Members (thousands)
All unions studied	111	17,641	86	12,174	25	5,467
Secret ballot	9	2,401	5	2,252	4	149
Ballot ¹ (no reference to secrecy)	13	2,028	11	1,146	2	882
Elected by local unions but no reference to balloting	70	8,546	55	5,853	15	2,693
Elected either at regular local union meeting or by referendum vote ²	4	1,352	2	32	2	1,320
Other ³	3	1,562	3	1,562	-	-
Elective officers of subordinate bodies to serve as convention delegates	2	141	2	141	-	-
No provision	10	1,611	8	1,189	2	422

¹ See footnote 1, table 2.

² 2 constitutions provided for election either at a regular local union meeting or by a referendum vote of members from each local union; 1 provided for election either at a regular local union meeting or by "mail ballot" of the membership from each local union; 1 provided for election by "ballot" at a regular local union meeting or by "secret" referendum vote of the membership from each local union.

³ 1 constitution provided its local unions with the choice of incorporating into their bylaws a procedure either for electing or selecting convention delegates; another, for electing or limiting delegates to local officers; 1 constitution provided each local union with the choice of electing convention delegates at a regular meeting or of holding a vote on the question of whether or not to delegate that right to the local general executive board, without making any reference to local bylaws.

NOTE: Because of rounding, sums of individual items do not necessarily equal totals.

The eligibility requirements for convention delegates were, where defined, similar to those for prospective international officers. Typically, they required that any nominee for delegate must have been a union member for a certain number of years, have been employed in the trade, etc. Virtually all types of qualifications were set forth in the constitution of the International Ladies' Garment Workers' Union:

To be eligible as a delegate to the convention of the ILGWU, a candidate must be:

A member of the ILGWU in good standing for at least 2 years preceding the date of nominations in his local union.

A member of the local union which he is to represent in the convention for at least 1 year.

Actually engaged in the ladies' garment industry for at least 6 months preceding the holding of the convention.

A practical ladies' garment worker. . . .

Members who were at any time expelled or suspended from the local union after trial are not eligible as delegates to the convention, unless restored to full rights and privileges by the General Executive Board.

Members who have acted as strike breakers are not eligible as delegates to the convention. . . .

Any member who has been found guilty of violating union work standards, or of misconduct, or of violating any of the provisions of this Constitution, shall not be eligible to be a delegate to the convention. . . .

Tenure

The most common term of office for union presidents was 2 years, stipulated in about two-fifths of the 111 constitutions studied (table 6).⁶ The largest number of union members, however, voted in elections every 4 years. Among the major unions which accounted for the nearly 7.5 million total in this category were the United Steelworkers of America, the International Association of Machinists, the United Brotherhood of Carpenters and Joiners of America, and the International Brotherhood of Electrical Workers.

Incumbents in all but 15 unions served for terms of 4 years or less. Two of these 15 unions did not indicate the frequency of elections, but 1 held a convention every year, and the other every 4 years. Since both unions elect presidents at convention, it is possible that the span between conventions coincides with the term of office. For 3 unions, the holding of an election was tied to the outcome of a membership referendum whether or not to hold a convention. For example, the constitution of the International Hod Carriers' Building and Common Laborers' Union of America provided that "the elective officers shall be elected at a convention for a term of 5 years . . ." However, on the subject of holding conventions, the constitution stipulated: "Every 5 years a referendum of the membership shall be had through the local unions on the question

⁶ Two unions held elections every 4 years for president and every 2 years for other international officers; otherwise, the same frequency of election applied to international officers in the constitutions analyzed.

whether the convention shall be held. . . . If a majority of those voting vote in favor of a convention, it will be held on the third Monday of October." Under these terms, a membership decision to postpone the holding of a convention would presumably also postpone the holding of an election.

TABLE 6. Frequency of election of international union presidents as provided for in union constitutions, 1958¹

Interval between elections	Total		International union president elected by—			
			Convention		Referendum	
	Unions	Members (thousands)	Unions	Members (thousands)	Unions	Members (thousands)
All unions studied	111	17,641	86	12,174	25	5,467
1 year	6	627	6	627	-	-
2 years	42	4,940	26	3,471	16	1,469
3 years	14	1,374	14	1,374	-	-
4 years	¹ 34	7,303	25	3,305	9	3,998
5 years	10	2,408	10	2,408	-	-
Other	3	668	² 3	668	-	-
No provision	2	320	2	320	-	-

¹ 2 unions held elections every 4 years for president and every 2 years for other international officers, otherwise, the same frequency of electing applies to other international officers in all the constitutions analyzed.

² For 3 unions, the frequency of elections is linked to the holding of conventions. An automatic referendum vote was to be taken to determine whether a convention should be held.

NOTE: Because of rounding, sums of individual items do not necessarily equal totals.

The maximum term for union presidents among the unions studied was 5 years. No constitution limited the number of terms a president could serve.

In all but 25 of the unions, the term of office and the interval between union conventions coincided. In 17 of these 25 unions, officers were to be elected for terms which were twice as long as the time between conventions. Thus, in 7 unions, top officers were to be elected for 2-year terms while conventions were to be held yearly; in 1 union, a 3-year term was matched with conventions every 1½ years; and 9 unions designated 4-year terms and biennial conventions. Of the remaining 8 unions, 2 did not indicate the frequency of elections; 3 made elections contingent on the outcome of a membership referendum on the question of holding a convention; 1 elected every 4 years and met annually; 1 elected every 2 years and met every 3 years; and 1 elected every 2 years and met 3 times a year.

A union's size may influence the frequency of convention. For instance, 40 of the 68 unions with less than 100,000 members were to hold conventions every year or every 2 years. On the other hand, only 17 of the 43 unions with 100,000 or more members met at such frequent intervals. Of the 10 unions with a membership of 400,000 or more, 5 met every 4 years, 2 biennially, 1 every 3 years, 1 every 5 years, and 1 polled its members every 5 years whether to hold a convention.⁷

⁷ The reasons why large unions hold conventions less frequently is often attributed to the considerable expense involved in holding such meetings for a thousand or more delegates. For example, the American Federation of Musicians recently decided to hold conventions every 2 years, instead of every year. At that time, it was reported: "Each convention costs the parent union nearly \$400,000, most of it to cover allowances of \$30 a day, plus hotel expenses, for the 1,200 delegates." (New York Times, June 6, 1958.)

Presidents' Compensation

Virtually all union constitutions studied, specified the amount of salaries to be paid to international presidents, or how such amounts were to be determined. A number of constitutions also included information on salaries for the secretary-treasurer or other executive officers, but such provisions for other members of the union's governing body were less frequent. Many constitutions provided for allowances to cover various expenses incurred while performing official business.

Salaries.—Seventy-five of the 111 constitutions studied specified the annual salaries for the presidents (table 7). In 28 other unions, the presidents' salaries were to be determined by various union bodies, such as conventions, general executive boards, or membership referendums, as the following clauses illustrate:

The salaries and allowances of the International Officers shall be fixed by the convention prior to their nomination. (International Union of United Brewery, Flour, Cereal, Soft Drink and Distillery Workers of America)

* * *

Fixed salaries and expenses of the International President . . . shall be determined by the General Executive Board. (International Union of the Doll and Toy Workers of United States and Canada)

* * *

The President, Vice Presidents, . . . shall be paid a weekly salary out of the General Fund of the International Treasury. The amount of such salaries is to be stipulated by referendum vote of the membership. (Amalgamated Lithographers of America)

TABLE 7. Presidential salary provisions in international union constitutions, 1958

Provision	Unions	Members (thousands)
All unions studied	111	17,641
Annual salary stipulated in international union constitution	75	14,145
Salary to be determined by convention	20	2,175
Salary to be determined by General Executive Board	6	425
Salary to be determined by membership referendum	2	72
Salary to be related to earnings of members	4	341
Other ¹	3	253
No provision	1	230

¹ 1 constitution established a maximum yearly salary only; 1 provided for an hourly rate and a daily maximum; the third specified a minimum salary, with the exact amount to be determined by the General Executive Board.

Four unions which did not indicate specific amounts, related the presidents' salaries to the earnings of members. Two of the unions in this category, the Brotherhood of Railroad Trainmen and the International Typographical Union used the following salary-setting formulas, respectively:

The salaries of Grand Lodge Officers . . . shall be the rate of pay applicable to such officers August 30, 1954. The per diem salary allowances of Grand Lodge Officers . . . shall be the per diem applicable to such officers October 1, 1954. Hereafter such salary allowances shall be increased or decreased in the same manner, that is, as determined by general increases or decreases in the pay of members employed in train and yard service in the United States as of the effective date of such changes in rates of pay. . . .

* * *

The salary of the President, . . . during his term of office shall be computed as follows:

For the President, for services rendered as President of the International Typographical Union and as President of the Board of Trustees of the Union Printers Home, three (3) times the average full-time weekly wages of the membership per week. . . .

The other two union constitutions with similar provisions were those of the National Marine Engineers' Beneficial Association and the United Stone and Allied Products Workers of America.

The amount of yearly salary received by presidents varied from a low of \$650 to a high of \$50,000, according to union constitutions. The most common salary bracket was \$10,000 but less than \$15,000, and included 20 presidents (table 8). Of the remainder, 13 received less than \$10,000, and 42, \$15,000 or more. The 3 highest paid union presidents received a salary of \$50,000.

In general, the amount of salary a president received tended to vary with the size of the union. All of the 33 unions which paid their presidents less than \$15,000, for example, had fewer than 200,000 members. There were a few notable exceptions to this general tendency. For instance, the 10,000-member International Association of Heat and Frost Insulators and Asbestos Workers and the International Alliance of Theatrical Stage Employees and Moving Picture Machine Operators of the United States and Canada (50,100) paid their chief executive officers \$25,000 and \$30,417 a year, respectively, while the United Automobile Workers, with 1.3 million members, provided \$22,000.⁸

Expense Allowances.—A number of constitutions described the types of supplementary payments intended to cover various expenses a president might incur in the performance of his duties. A majority of such constitutions stipulated that the president was to be reimbursed for "expenses away from home," "legitimate expenses," "hotel, meals, traveling, and other necessary expenses when away from headquarters," or used similar statements. Several of these

⁸ In April 1958, the United Automobile Workers announced a 10-percent cut for officers as a temporary economy measure.

constitutions specifically required that presidents submit itemized expense vouchers or provided that payments would be subject to approval by the union's governing body.

All officers . . . shall receive their actual expenses while performing services pertaining to the Brotherhood. Officers . . . shall when away on a prolonged stay file a daily itemized expense account with the Secretary-Treasurer of Grand Lodge at the end of each 2 weeks, and when on the road for less than that time shall file a daily expense account immediately upon their return to headquarters . . . (Brotherhood of Railroad Signalmen of America)

* * *

The International President . . . performing duties away from the International office . . . shall receive his expenses, which shall be subject to the approval of the International Executive Council. (Transport Workers Union of America)

A smaller number of constitutions designated fixed per diem allowances, ranging from \$8 to \$35. Generally, these amounts were intended to cover hotel, meals, and other incidental expenses. Virtually all of these unions provided for additional reimbursement for transportation costs.

TABLE 8. Annual salaries¹ of international union presidents as provided for in union constitutions by size of unions, 1958

Size	Total		Unions stipulating salary in constitution					
	Unions	Members (thousands)	Unions	Members (thousands)				
All unions studied	111	17,641	75	14,145				
10,000 and under 25,000 members	18	270	12	189				
25,000 and under 50,000 members	20	700	12	425				
50,000 and under 100,000 members	30	2,056	17	1,138				
100,000 and under 200,000 members	19	2,600	17	2,311				
200,000 and under 300,000 members	9	2,052	4	920				
300,000 and under 400,000 members	5	1,742	4	1,392				
400,000 and under 500,000 members	4	1,808	3	1,357				
500,000 and under 1,000,000 members	3	2,475	3	2,475				
1,000,000 members and over	3	3,939	3	3,939				
Union presidents receiving annual salaries of—								
	Less than \$10,000	\$10,000 but less than 15,000	\$15,000 but less than 20,000	\$20,000 but less than 25,000	\$25,000 but less than 30,000	\$30,000 but less than 35,000	\$35,000 but less than 40,000	\$40,000 or more ²
All unions studied	13	20	16	10	5	5	3	3
10,000 and under 25,000 members	3	6	2	-	1	-	-	-
25,000 and under 50,000 members	4	4	4	-	-	-	-	-
50,000 and under 100,000 members	4	5	3	3	1	1	-	-
100,000 and under 200,000 members	2	5	5	1	2	1	1	-
200,000 and under 300,000 members	-	-	2	1	-	1	-	-
300,000 and under 400,000 members	-	-	-	3	-	-	1	-
400,000 and under 500,000 members	-	-	-	-	-	2	-	1
500,000 and under 1,000,000 members	-	-	-	1	1	-	1	-
1,000,000 members and over	-	-	-	1	-	-	-	2

¹ Excludes allowances.

² Each of these 3 unions provided a salary of \$50,000 to their presidents.

NOTE: Because of rounding, sums of individual items do not necessarily equal totals.

The American Federation of Musicians granted its president a \$3,000 expense account "for the spending of which he shall not be required to make an accounting," and further allowed him "all hotel and traveling expenses." The constitution of the International Brotherhood of Teamsters stipulated that all international officers were entitled to a daily allowance of \$7.50 for "incidental expenses." They were also entitled to all travel expenses and, when away from their home city, to an additional per diem allowance of \$25. In addition, the constitution provided:

The General President, for the purpose of promoting the interests and welfare of the International Union and the making of diplomatic contacts with other organizations and institutions, and for the purpose of conserving his health, may in his discretion travel in this country or, with the approval of the General Executive Board, abroad and may take periodic rests. The General Executive Board shall provide for all expenses of the General President when performing the services mentioned herein or when taking periodic rests. The said expenses shall include travel in this country and abroad, the full and complete maintenance of his wife so that she can accompany the General President, and all secretarial help and services which he deems necessary while engaged as afore referred to. The expenses provided for herein are in addition to all other constitutional compensation and allowances.

Removal of International Officers

Practically all of the 111 international union constitutions studied contained provisions under which international union presidents and other officers could be disciplined for infractions of constitutional provisions or union regulations.⁹ Penalties could take the form of reprimand, fine, suspension, or removal from office and expulsion.

The process of removing an officer involved impeachment or recall procedures, or a combination of both types. Three-fourths of the constitutions contained impeachment clauses, about 15 percent contained recall provisions, and both types of removal machinery were found in 8 percent of the constitutions¹⁰ (table 9). Impeachment proceedings resembled, in some measure, proceedings before a court of law, and generally took the form of a trial before the unions¹

TABLE 9. Types of provisions for removal of international officers stipulated in union constitutions, 1958

Type of provision ¹	Unions	Members (thousands)
All unions studied -----	111	17,641
Impeachment -----	84	12,560
Recall -----	17	3,502
Impeachment and recall -----	9	1,529
No provision -----	1	50

¹ Removal proceedings against a president and other officers were identical in all but 1 union which provided for recall procedures against the president and impeachment procedures against other officers.

⁹ This discussion is limited to disciplinary provisions relating specifically to officers and their conduct in office.

¹⁰ Removal proceedings against a president and other international officers were identical in all but one union studied.

governing bodies. Usually, these proceedings allowed a final appeal to the unions' conventions. In recall cases, the members were more directly involved. Typically, charges against officers were to be initiated by petitions, which, without exception, required the endorsements of a given number or proportion of members or local unions. Although a few of these constitutions provided for trial bodies, these functioned primarily as factfinding boards or administrative agencies for the conduct of a membership referendum. The final decision whether to retain an officer rested with the memberships.

In many constitutions, the specific violations for which an international officer could be disciplined were stated very briefly, if at all. For instance, "neglect of duty or violation of the laws," "violating the constitution or the general welfare of the organization," or "any act calculated to impair the dignity of the organization" were the only grounds stated in a number of constitutions. Such general clauses were also found in constitutions which defined removal causes in greater detail. In these instances, the catch-all provisions were apparently intended to be used for acts that did not clearly come under any of the specific categories. The following two examples typify such clauses:

[Charges against a Grand Lodge Officer] shall be made for any of the following causes: drunkenness, incapacity, disobedience to a superior officer, abusive or threatening language to a brother officer, misappropriating or diverting Grand Lodge funds, neglect of duty or any misconduct subversive of the interests or well-being of the organization. (Brotherhood of Locomotive Firemen and Enginemen)

* * *

. . . General Officers may be required to stand trial when charged with any of the following offenses:

- (a) Violation of any specific provision of this constitution;
- (b) Gross disloyalty or conduct unbecoming to a member;
- (c) Gross inefficiency of a . . . General Officer which hinders or impairs the interest of the . . . International;
- (d) Publicizing the internal affairs of . . . the International Union;
- (e) Misappropriation;
- (f) Secession or fostering secession;
- (g) Abuse of fellow members or officers;
- (h) Activities which would tend to bring the . . . International into disrepute;
- (i) Disobedience to the regulations, rules, mandates, and decrees . . . of the officers of the International;
- (j) Such other acts and conduct which shall be considered inconsistent with the duties, obligations and fealty of a member of a union, or violation of sound trade union principles;
- (k) Preferring charges against an officer of . . . the International without reasonable evidence in support of the same;
- (l) Deliberately aiding or abetting another member in the violation of any section of this constitution. (Hotel and Restaurant Employees and Bartenders International Union)

Constitutions with impeachment clauses usually listed removal grounds in greater detail than constitutions with recall provisions. Under impeachment proceedings, it would seem that an accused officer could be tried only for having committed certain acts, whereas under the recall device, the membership retained the right to remove an officer for any reason.

Initiation of Charges.—Under recall proceedings, the initiation of charges against officers or, more specifically, the filing of petitions listing such charges, was the prerogative of the membership acting through local unions (table 10). Constitutions with impeachment provisions varied widely in their identification of initiating agents. A large number of constitutions (34) failed to name a specific initiating agent.¹¹

TABLE 10. Initiating agency for recall and impeachment proceedings against the international union president stipulated in union constitutions, 1958

Agency	Unions with recall proceedings		Unions with impeachment proceedings	
	Unions	Members (thousands)	Unions	Members (thousands)
All unions studied ¹ -----	26	5,031	93	14,089
Member -----	-	-	22	2,432
General Executive Board ² -----	-	-	8	350
Member or General Executive Board -----	-	-	3	1,405
Local union -----	20	4,249	³ 14	1,890
Local union or member -----	-	-	3	222
Local union or General Executive Board -----	-	-	⁴ 9	1,050
Other -----	⁵ 6	782	-	-
No provision -----	-	-	34	6,741

¹ Includes 9 unions with both recall and impeachment procedures.

² Also includes other governing bodies of international unions.

³ 3 constitutions provided for initiation of charges by both local unions and by district councils or other bodies composed of local unions.

⁴ 1 constitution provided for initiation of charges by the General Executive Board, local unions, or bodies composed of local unions.

⁵ These constitutions provided for circulation of a petition for signature by a given percentage of the entire membership, but did not designate a specific initiating agent.

NOTE: Because of rounding, sums of individual items do not necessarily equal totals.

A number of constitutions required that the filing of any charge be accompanied by an itemized statement listing the specific laws violated or other relevant facts. Although such requirements were found in recall and impeachment provisions, the latter tended to describe them in greater detail. Recall clauses, as a rule, treated the matter as follows:

The petition shall be accompanied by the charges upon which the recall is based . . . (International Woodworkers of America)

* * *

Every petition for a recall must contain a clear, concise statement of the specific charges against such officer or officers upon which the proceeding is based. (International Association of Machinists)

¹¹ The absence of a formal designation of initiating agent should not be construed to mean that members or local affiliates were powerless to initiate charges. A number of unions with such clauses, it should be pointed out, referred in their trial or removal proceedings to an "accuser." These references carried the strong implication of members having the right to initiate charges. More specifically, the entire impeachment provision would be meaningless unless members, subordinate union bodies, or their officers have the right to start such action.

Impeachment clauses provided as follows:

A charge of dereliction in duty shall specify the acts or omissions alleged to constitute dereliction in duty . . .

The charge shall be filed with the Secretary-Treasurer or with the Executive Vice-President . . . , with sufficient copies for each International Executive Board member . . . (American Newspaper Guild)

* * *

Accusations or charges [against International Officers] must be made in writing by a member of the union in good standing within 30 days of the time complainant becomes cognizant of the offenses alleged.

In all cases, charges must be signed by the complainant and shall be sufficiently specific as to the provisions of union law violated and of the alleged acts which constitute the basis of the charge to permit the defendant to prepare a proper defense . . .

If the accused International Officer is the General President, the charges shall be filed with the General Secretary-Treasurer . . . (United Rubber, Cork, Linoleum and Plastic Workers of America)

* * *

. . . charges shall be in writing and shall set forth the nature of the violation or violations complained of and specify the act or acts constituting the violation and shall be signed by the accuser. These charges shall be accompanied by a sworn affidavit or affidavits setting forth in detail the factual matters upon which the accusations are based. (United Furniture Workers of America)

Endorsement of Charges.—Charge petitions against officers required a specified number of endorsements in all recall cases (table 11). Under impeachment proceedings, however, approval of the membership (or local unions) was stipulated in only a small number of constitutions and the number of endorsements necessary was usually smaller than under recall clauses. The absence of endorsement requirements in recall cases would mean that a single member could invoke the referendum machinery for any reason, no matter how frivolous. Such actions, if taken often, could raise havoc with the operation of the union. Thus, the necessity of obtaining endorsements serves as a brake against irresponsible behavior. Under impeachment proceedings, on the other hand, such approval is less needed since trial machinery is relatively easy to organize (in contrast to a membership referendum), the trial itself acts as a bar against frivolous and unfounded charges, and penalties are usually meted out to those making such charges.

Eight unions with recall provisions required a minimum number of local union endorsements, ranging from 1 to 150. In 5 of these unions, the minimum

amounted to less than 10 percent of all local unions; and, in the other 3, to between 10 and 15 percent:

Five or more locals, who . . . desire the recall of an elective officer of this International Association, and where the reasons and requests for the recall have been submitted to the members of 5 or more respective locals at a special meeting called for that purpose, and are favorably acted upon by a two-thirds vote of the members, shall immediately forward a copy of the reason for the recall to the officer or officers whom they desire to recall, and 15 days shall be given the accused to prepare his or their defense. (Amalgamated Lithographers of America)

TABLE 11. Recall and impeachment clauses against international union presidents in union constitutions by type of endorsements required, 1958

Type of endorsement	Unions with recall clauses		Unions with impeachment clauses	
	Unions	Members (thousands)	Unions	Members (thousands)
All unions studied ¹	26	5,031	93	14,089
General Executive Board	-	-	8	721
Percentage of total local unions	5	1,866	1	52
Percentage of total membership	² 6	926	-	-
Minimum number of local unions	8	1,007	8	1,947
Percentage of local unions plus percentage of membership	2	459	-	-
Number of local unions containing specified percentage of membership	5	772	1	83
Other	-	-	³ 2	330
No provision	-	-	73	10,956

¹ Includes 9 unions with both recall and impeachment procedures.

² 2 unions called for a petition signed by a percentage of members as a mandate for the international office to circulate a recall petition among the entire membership through regular union channels.

³ For the first union, endorsement by two-thirds of membership of any local union is required; for the second, endorsement is by convention.

NOTE: Because of rounding, sums of individual items do not necessarily equal totals.

More stringent requirements were found among the five unions which demanded endorsements by a designated percentage of total local unions. Approval by more than half of all local unions had to be obtained in 3 unions; for the other 2, the requirements were 15 percent and 5 percent, respectively.

Six unions required signatures by the following proportion of membership: 1 union by 15 percent, 2 by 20 percent, 2 by 25 percent, and 1 by 30 percent. In this last category were 2 unions which, in effect, utilized a 2-step endorsement process whereby petitions were sent first to the International Executive Boards, and next to the entire membership before a final referendum could be held. One of these unions, the International Woodworkers of America, described this procedure as follows:

Upon the signed request of 5 percent of the entire International Union membership, the International Secretary-Treasurer shall send out a petition to each local union for the recall of any International Officer. The petition shall be accompanied by the charges upon which the recall is based and a defense of the charged officer.

If within 40 days after the petition is submitted to the membership involved, 20 percent of the membership send a signed request to the International Secretary-Treasurer, the International Executive Board shall call an election for the recall of any International Officer so charged . . .

A time limit for submitting endorsements, similar to the one noted above, was specified in many recall clauses. It was spelled out in some detail in the constitution of the International Brotherhood of Locomotive Engineers:

In event 25 percent of the dues-paying members, or divisions representing 25 percent of the dues-paying members, have not filed a request in writing with the Grand Chief Engineer or the General Secretary-Treasurer within 6 months from the time the first request is filed instituting an initiative, referendum and/or recall, no consideration will be given such request until another 6 months period has elapsed, after which it will be necessary to reinstate the initiative, referendum and recall by filing new petitions.

Six of the 8 impeachment clauses requiring local union endorsement specified 6 locals; in the remaining 2 clauses, 3 endorsements were needed. In no case did the required number of local unions represent a significant proportion of the total. In 8 other union constitutions, impeachment charges required approval of the executive board before a case could be tried. Some typical clauses were:

The General Executive Board shall examine all charges preferred to it against an officer to this Alliance and shall have the power to declare such charges cognizable or not. . . .

Within 1 week after cognizance of the charges the General Executive Board shall . . . notify [the accused officer] of the time and place appointed for the hearing thereon. (International Alliance of Theatrical Stage Employees and Moving Picture Machine Operators of the United States and Canada)

Removal Agency.—The decision to remove a president from office, under all recall provisions, rested upon a membership referendum (table 12). The

TABLE 12. Agency empowered to remove international union presidents under recall and impeachment proceedings contained in union constitutions, 1958

Agency	Unions with recall proceedings		Unions with impeachment proceedings	
	Unions	Members (thousands)	Unions	Members (thousands)
All unions studied ¹	26	5,031	93	14,089
General Executive Board	-	-	74	10,434
Membership referendum	² 24	4,761	² 7	1,154
Trial committee or special board	-	-	6	2,043
Regular convention	-	-	4	186
Other	³ 2	270	⁴ 2	273

¹ Includes 9 unions with both recall and impeachment procedures.

² The recall proceedings in 2 unions and impeachment proceedings in 1 union had the characteristics of membership referendums in that the membership voted in the local unions, but the vote of each local was cast as a unit.

³ In these unions, power to remove was by membership referendum or convention.

⁴ In 1 union, final power to remove was by referendum or convention, in the other, it was by General Executive Board or Convention.

NOTE: Because of rounding, sums of individual items do not necessarily equal totals.

vote of the membership was final—there was no appeal from its verdict. Removal from office of an impeached officer may be automatic, after a finding of guilt, but, the precise penalty to be imposed was generally left to the discretion of the trial body. Typically, constitutions with impeachment clauses provided for a final appeal to the union's convention.

Recall provisions frequently went beyond the statement that a membership referendum shall be held. In some, the rights of the accused to refute charges were mentioned, as were the rules for conducting the referendum.

. . . The Executive Committee shall send one copy of charges to the officer against whom the charges have been preferred. The officer who has had recall proceedings filed against him shall be given an opportunity for defense. Thirty days shall be allowed him to reply to the charges, same to be in writing. If after 30 days, the Executive Committee has failed to receive reply, they shall proceed with the recall election. Copies of the charges and the reply to be sent with each ballot shall contain not more than 1,000 words each. (International Association of Fire Fighters)

* * *

. . . every member shall receive a ballot which shall contain the following:

- (a) the request for recall;
- (b) the officer's defense;
- (c) the ballot shall clearly state in favor of recall—against recall.

Special local meetings shall be called to consider the recall. The action of the locals shall be filed at the International Office within 30 days of notification.

If two-thirds of the members voting, vote in the affirmative, the officer shall then be recalled, the office declared vacant, and the vacancy filled as provided for. (Amalgamated Lithographers of America)

In the examples cited above, the membership voted on whether or not to retain an officer. In a few unions, however, the vote took the form of upholding or rejecting the findings of the union's executive board:

. . . the International Executive Board . . . shall render a decision as to the guilt or innocence of the accused. If the accused is found guilty and the charges warrant, the Board shall suspend him from office. The International Executive Board shall then order the charge or charges to be published in the official minutes and the officer or officers against whom charge or charges are made shall have privilege of explaining his action in the same minutes in which the charge or charges are printed. The board shall immediately submit their decision and findings as to the innocence or guilt to the membership at large, order a referendum vote for approval not less than 15 nor more than 30 days after their decision and findings have reached the local unions. If a majority of members voting approve the action of the International Executive Board, their decision shall then become final and binding . . . (United Glass and Ceramic Workers of North America)

A further variation was noted in a few constitutions where the recall vote also elects the officer's successor. For instance, the section of the constitution of the International Association of Machinists stipulating the recall procedure also provided:

. . . the General Secretary-Treasurer shall issue a circular to all local lodges calling for endorsements of nominees for the office or offices held by the officer or officers whose recall is sought . . .

. . . the candidate for any office who receives the greatest number of votes in any recall election shall be promptly notified of his election by the General Secretary-Treasurer. If the officer whose recall is sought, is not elected, his tenure of office shall terminate 15 days after the result of the election is announced and the newly elected officer shall thereupon assume the duties of the office.

Generally, a majority of the members voting was sufficient to recall an officer, although a few unions required a two-thirds vote. The constitution of the International Union of Operating Engineers was unique in that it stipulated the minimum proportion of the membership required to participate in a valid referendum and also directed that a majority of the entire membership was needed to recall an officer:

. . . No recall petition shall prevail unless there shall be cast thereon the votes of not less than 55 percent of the entire membership of the International Union in good standing and a majority vote of the entire membership in good standing cast in favor thereof.

Under almost all impeachment proceedings, the trial body, usually the union's executive board, was empowered to remove an officer, or to determine a less severe punishment (table 12).

When the testimony is all submitted, the Board of Advocates shall determine the guilt or innocence of the accused, and if found guilty fix the punishment of the officer, which shall be either reprimand, suspension from office or expulsion from the Brotherhood. (Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees)

* * *

Any officer . . . may be impeached by the Executive Board, and if the charges are proved shall be disqualified to further discharge the duties of his office, and a successor shall be appointed . . . (International Stereotypers' and Electrotypers' Union of North America)

* * *

The Trial Committee, upon completion of the hearing on the evidence and arguments, shall go into closed session to determine the verdict and penalty. A two-thirds vote shall be required to find the accused guilty. In case the accused is found guilty, the Trial Committee may, by a majority vote, reprimand the accused or it may, by a two-thirds vote, assess a fine not to exceed \$500, with automatic suspension, removal from office or expulsion in the event of the failure of the accused to pay the

fine within a specified time; or it may, by a two-thirds vote, suspend or remove the accused from office, or suspend or expell him from membership in the International Union. (United Automobile, Aircraft and Agricultural Implement Workers of America)

In seven constitutions, the question of whether to remove an impeached officer was to be decided by a membership referendum. There were, however, several elements which distinguished such clauses in these seven constitutions from those classified as recall clauses in the other constitutions. For example, none of these seven required endorsements of charges by local unions or members. More significantly, however, in 6 of these 7 constitutions a referendum was to be held only if a trial body returned a verdict of guilty; the referendum thus becomes a final avenue of appeal for a convicted officer. Should the trial body hold for the defendant, a referendum could not be held; and the membership could not vote on the issue.

. . . the Board . . . shall determine the guilt or innocence of the accused . . . If found guilty, it shall be the duty of the General Executive Board to issue a circular containing their findings . . . Copy of same to be sent to each local union, which shall at a special meeting called for that purpose, proceed to vote on same. (United Garment Workers of America)

* * *

. . . The National Executive Committee may dismiss the charges or by a two-thirds vote suspend or dismiss the accused from office. Failure to obtain a two-thirds vote shall be deemed to be a dismissal of the charges against the accused.

In the event the National Executive Committee shall by a two-thirds vote suspend or dismiss the accused, the National Executive Committee shall promptly cause the charges, answer and the record of the hearing to be submitted to the entire membership referendum vote . . . (National Marine Engineers' Beneficial Association)

One additional variation was found in the trial provisions of the National Maritime Union. In this union, an officer whose conviction was upheld by a membership referendum retained the right to appeal the verdict to the next national convention.

Four constitutions stipulated that the removal issue was to be settled at the union's regular convention.¹²

Any officer of the Federation having charges preferred against him may be suspended by a two-thirds vote of the Executive Council . . .

Such suspension by the Executive Council, to become permanent, must be sustained by a majority vote at the next regular convention. (American Federation of Government Employees)

Filling Vacancies.—If a union president becomes incapacitated or dies while in office, or if he is recalled or impeached before completing his term, his successor would be selected by the union's executive body according to 64 of

¹² This is to be distinguished from cases where officers removed by the executive board, or other trial body, may appeal to the convention.

the 111 constitutions studied (table 13). In a considerably smaller number of unions (22), a designated officer, frequently the first vice president or secretary-treasurer would assume the presidency. Fourteen constitutions required a new president to be elected by the entire membership or by delegates to a special convention. Of the remaining 11, 7 stipulated a variety of procedures, and 4 contained no provisions on this matter.

TABLE 13. Constitutional provisions for filling of vacancy in the office of international president during term of office, 1958

Method of filling vancy	All unions	
	Unions	Members (thousands)
All unions studied	111	17,641
General Executive Board or other governing body	64	8,758
Special membership election	11	2,699
Automatic assumption of office by another international officer	22	3,184
Special convention	3	1,609
Other	¹ 7	1,170
No provision	4	221

¹ In 1 constitution, the General Chairman of each railway system votes the membership of his system as a unit; for 3 unions, the vacancy is to be filled by the General Executive Board in event of impeachment, and by a special membership election in event of recall; in 1 union, the General Executive Board fills the vacancy if it occurs within 6 months prior to the convention, otherwise it is filled by special membership election; in another union, the secretary-treasurer assumes the office providing less than 1 year of the unexpired term remains, otherwise it is filled by special membership election; for the 7th union, the secretary-treasurer fills the office until the General Executive Board or convention elects a successor, when 1 or the other method will be used is not given in the constitution.

The 64 constitutions which authorized the General Executive Board to fill vacancies also delegated removal powers to that body in 41 instances. Removal in the remaining 23 unions was, in the main, by membership referendum or trial committee. Clauses providing for replacement by the Board showed little variation in phraseology and typically read as follows:

If a vacancy should occur in the Office of President, General Secretary-Treasurer or of any other general officer, the General Executive Board shall fill the vacancy until the next triennial convention. (International Ladies' Garment Workers' Union)

Clauses which specifically made any union member eligible to succeed an executive officer were rare and typically read as follows:

A vacancy in the Office of President or General Secretary-Treasurer shall be filled by the General Executive Board within 15 days from its own members or from the general membership of the United Hatters, Caps and Millinery Workers International Union.

The following examples were typical of clauses providing for the automatic assumption of a vacated office by a designated officer:

. . . Should the Office of President become vacant, the Secretary shall succeed to the office. (Bricklayers, Masons and Plasterers International Union of America)

* * *

Whenever the Office of President, Secretary-Treasurer, or Vice President is vacated by resignation, death, removal from office, or any other reason, the vacated office shall be temporarily filled until the next General Election by the next ranking officer as follows: Secretary-Treasurer, Vice President receiving the highest vote in the last national election; National Representative receiving the highest vote in the last national election. (National Maritime Union of America)

As noted earlier, in a few unions, the recall referendum served the dual purpose of ousting an incumbent officer and electing his successor. Pending the outcome of the election, most unions provided for a temporary administrator, as in the following examples:

In the case of death, resignation or recall of the International President, General Executive Board shall be convened by the International Secretary-Treasurer within 30 days after the occurrence to select a temporary successor to serve until a successor for the remainder of the term has been elected by nominations and referendum of the membership. (United Furniture Workers of America)

* * *

Within 5 days after a vacancy occurs in any elective International Office, the International Executive Board shall notify the Guilds concerned. Within 30 days after the notification is mailed the governing bodies of the locals concerned shall nominate candidates and nominations shall close at headquarters. The election shall then be made by referendum vote . . . In the event of a vacancy in any of the 3 principal offices, there shall be a temporary succession pending the election of a new officer. The President shall thus be succeeded by the Executive Vice-President . . . (American Newspaper Guild)

A "caretaker" was also designated in the three constitutions which required the holding of a special convention to fill a vacancy in the office of the president:

. . . In case of death or removal of the General President, it shall be the duty of the General Secretary-Treasurer, in addition to his other duties, to assume the duties of General President, and he shall call a Special Convention not more than 75 days after such event for the purpose of electing a new General President who then shall serve the balance of the unexpired term. (Building Service Employees International Union)

Appendix

The Election and Tenure of Officers of the AFL-CIO

The AFL-CIO constitution adopted by the First Constitutional Convention (December 5-8, 1955), and amended by the Second Constitutional Convention (December 5-12, 1957), contained rules governing the election and tenure of the president and secretary-treasurer—the executive officers—and of the 27 vice presidents serving on the Executive Council.^B The elements of election and tenure previously discussed in connection with officers of national and international unions are summarized in this appendix for the federation.

Eligibility requirements for office in the AFL-CIO stipulated that a candidate for office must be a member of an affiliated organization. The constitution barred from office anyone—

. . . who is a member of the Communist party, any Fascist organization, or other totalitarian movement, or who consistently pursues policies and activities directed toward the achievement of the program or the purposes of the Communist party, any Fascist organization or other totalitarian movement. (Art. V, Sec. 10)

Although criminal bans were not explicitly enumerated under the clauses on qualifications for office, the object and principles established for the AFL-CIO include:

To protect the labor movement from any and all corrupt influences . . . (Art. II, Sec. 10)

It is a basic principle of the Federation that it must be and remain free from any and all corrupt influences . . . (Art. VIII, Sec. 7)

To help implement these "basic principles," the Executive Council was authorized—

. . . to take such actions and render such decisions as are necessary and appropriate to safeguard and promote the best interests of the Federation . . . (Art. VIII, Sec. 2)

The AFL-CIO constitution described the nomination and election of officers very briefly. The kind of ballot to be used was not specified:

The officers shall be elected by the convention by majority vote. Such election shall take place on the last day of the convention, unless otherwise determined by the convention. In the event that more than 2 candidates are nominated for any office and no 1 candidate receives a majority of the votes cast, all except the 2 candidates receiving the highest votes shall be eliminated from the list of candidates and a second vote taken. (Art. V, Sec. 3)

^B For a summary of the structure of the AFL-CIO, see the Directory of National and International Labor Unions in the United States, 1957 (BLS Bull. 1222).

A delegate to the convention, the constitution provided, must be a "member in good standing of the organization he is selected to represent." He must be "elected or otherwise designated by the affiliate at least 30 days prior to the convention . . ." The number of delegates an international union may send is based on the average monthly number of members on which a per capita tax is paid to the AFL-CIO, according to the following formula:

Less than 4,000 members -----	1 delegate
Over 4,000 members -----	2 delegates
Over 8,000 members -----	3 delegates
Over 12,000 members -----	4 delegates
Over 25,000 members -----	5 delegates
Over 50,000 members -----	6 delegates
Over 75,000 members -----	7 delegates
Over 125,000 members -----	8 delegates
Over 175,000 members -----	9 delegates

plus 1 additional delegate for each 75,000 members over 175,000.
(Art. IV, Sec. 4)

On roll calls, each delegate votes a proportionate share of the votes accredited to his union (equivalent to paid-up membership). Delegates from State and local bodies and from the AFL-CIO's departments are entitled to one vote.

Elections are held biennially at each regular convention. Salaries for the president and secretary-treasurer are \$35,000 and \$33,000 per year, respectively. A specific expense allowance is not listed; instead, the Executive Council is authorized "to reimburse members of the Council for necessary expenses in performing their duties . . ."

On the subject of retirement, the constitution states:

The President and Secretary-Treasurer of the Federation or either of them may retire after reaching age 65 years, and after having served 20 years. (Art. V, Sec. 9)

If the president or secretary-treasurer should retire, he is to receive a pension equal to 75 percent of his annual salary. He acquires the title of President Emeritus or Secretary-Treasurer Emeritus and serves in an advisory capacity.

The Executive Council has the power to charge any executive officer and member of the Council with malfeasance or maladministration, conduct hearings on such charges, and recommend appropriate action in a report to the convention (Art. VIII, Sec. 11). The specific grounds on which a Council member could be removed without convention action are contained in Art. V, Sec. 10 (cited on page 35), but a general provision "to promote the best interests of the Federation" offers wider scope.¹⁴ A two-thirds vote is necessary for removal. In addition,

¹⁴ On May 20, 1957, Dave Beck, former president of the International Brotherhood of Teamsters, was removed from the Executive Council. At that time, President Meany stated that the action was taken under Art. VIII, Sec. 2, which provides: "The Executive Council . . . is authorized and empowered to take such action and render such decisions as may be necessary to carry out fully and adequately the decisions and instructions of the conventions and to enforce the provisions contained in this constitution. Between conventions, it shall have the power to direct the affairs of the Federation and to take such actions and render such decisions as are necessary and appropriate to safeguard and promote the best interests of the Federation and its affiliated unions." (AFL-CIO News, May 25, 1957)

the expulsion of an affiliated union automatically removes any member of an expelled union from the Council.¹⁵

Should the office of president or secretary-treasurer become vacant, "the remaining executive officer shall perform the duties of the vacant office until a successor is elected." The Council is then called into session "for the purpose of electing an executive officer to fill said vacancy for the unexpired term." (Art. V, Sec. 5)

¹⁵ For instance, the expulsion of the International Brotherhood of Teamsters and the Bakery and Confectionery Workers' International Union removed two officers of these unions, John F. English and Herman Winter, respectively, from the Executive Council. See The Second Biennial Convention of the AFL-CIO (in Monthly Labor Review, February 1958, pp. 146-152).