

BYLAWS

OF

LOCAL UNION 104

INTERNATIONAL BROTHERHOOD

OF

ELECTRICAL WORKERS

BOSTON, MASSACHUSETTS

APPROVED: Approved January 26, 2021

ORDER OF BUSINESS

1. Opening.
2. Roll Call of Officers and Reading of Minutes.
3. Communications and Bills.
4. Reports of Executive Board and Officers.
5. Propositions for Membership.
6. Reports on Candidates.
7. Balloting or Voting on Candidates.
8. Obligations of Candidates.
9. Reports of Delegates and Committees.
10. Reports of Accidents, Sickness or Death of Members.
11. Roll Call of Members.
12. Unfinished Business.
13. New Business. (Under this heading comes matters relating to any election and installation of officers.)
14. Good of the Union.
15. Receipts and Expenses.
16. Closing.

NOTE: This sheet ORDER OF BUSINESS is not a part of the Local Union bylaws. It is attached to the bylaws to provide rules for the orderly conduct of Local Union meetings. Roll Call of Members is optional to the Local Union and may or may not be used as the Local Union decides.

ARTICLE I
Name – Jurisdiction – Objects

Sec. 1. This Organization shall be known as Local Union 104 of the International Brotherhood of Electrical Workers, Boston, Massachusetts. Local 104 shall have jurisdiction over all **Outside, Line Clearance, Teledata and Professional, Technical and Clerical** – including **Outside Communication work** performed by employees of Contractors – and Utility work as defined in Article XXVI, Section 4 of the IBEW Constitution when performed as follows:

Outside, Line Clearance, Telephone, Teledata and CATV work when performed in the following areas:

State of Massachusetts	entire state with exception of Berkshire, Franklin, Hampden and Hampshire Counties.
State of Rhode Island	entire State.
State of Maine	
State of New Hampshire	
State of Vermont	

Teledata work when performed under the District Teledata Agreement.

Professional, Technical and Clerical work when performed by the following employees:

East Coast Energy Consultants
Hawkins Glove Testing, LLC.

Utility work when performed as follows:

All sub-station operators and employees of the overhead and line distribution divisions of the Massachusetts Bay Transportation Authority.

All employees of the town of Belmont Municipal Light Department, Belmont, Massachusetts.

All employees of Templeton Municipal Lighting Plant.

All employees of Littleton Municipal Light Plant.

All clerical and professional employees of Mansfield Municipal Light Plant.

All employees of North Attleboro Municipal Light.

All employees of Princeton Municipal Light

All employees of Rowley Municipal Light

All employees of Ashburnham Municipal Light

However, the right of the International Office to change this jurisdiction is recognized, as provided for in the IBEW Constitution.

Sec. 2. Our objects are: to establish and maintain an adequate wage for our labor; to require of our members skill, intelligence and character; to protect our employers from the unskilled and inexperienced worker; to advance the principles and practices of conciliation and arbitration in the settlement of any differences with our employers; to protect and aid our unemployed, distressed and sick members; to defend our rights and advance our interest as electrical workers by all lawful means; to aid and encourage all honorable efforts that will better the conditions of labor; and to make our card and seal a certificate of fraternity, honesty, efficiency and reliability.

Sec. 3. Local Union 104 shall cover the “A” and “BA” types of membership.

ARTICLE II
Meetings

Sec. 1. Regular meetings shall be held once a month at the time and date as decided by the Local Union. The International Office shall be advised of the time, date, and location of regular Local Union meetings and also of any future changes. The membership shall be notified of any change in regular meeting dates.

Sec. 2. Only the Business Manager or the Executive Board may call special meetings. The members shall be notified in writing (by mail, leaflets, in the Union newspaper, or on accessible bulletin boards) of any special meeting. No business shall be transacted at any special meeting except that for which it has been called.

ARTICLE III
Officers – Elections – Duties

Sec. 1. The officers shall perform such duties as are stated in Article XVII of the IBEW Constitution. In addition, they shall perform such duties as are outlined in these bylaws and such duties as may be assigned to them by the Local Union and which are not in conflict with the IBEW constitution and these bylaws.

Sec. 2. Failure of officers to perform their duties, the suspension or removal of any officer and the filling of any vacancies, shall be dealt with as stated in Article XVI of the IBEW Constitution.

Sec. 3. All officers and representatives and all employees shall be bonded to the extent required by the International or any applicable Federal or State law whichever is greater. The bond shall be secured through the International and the premium shall be paid by the Local Union.

Sec. 4. (a) At the meeting of the Local Union when nominations are made, after nominations have closed, the President shall appoint an Election Judge and as many Tellers as are required, who shall serve as an Election Board to conduct the election. No candidate for any office shall be eligible to serve on this Board.

(b) After nominations have been made and those nominated are found to be qualified, the Election Board shall have ballots prepared, listing in alphabetical order the names of all candidates for each respective office, beginning with President and continuing in the order named in the IBEW Constitution. Such ballots shall not contain any identifying numbers or marks, which would identify the voter.

(c) Members in good standing and qualified to vote who expect to be unable to visit the polls on election day, may at any time within thirty (30) days, but not less than five (5) days prior to the date of election, make application in writing to the Election Judge for an absentee ballot. Any such qualified applicant shall be furnished an official ballot and two (2) envelopes. One envelope shall be smaller than the other and shall be marked only with the words OFFICIAL BALLOT. The larger envelope shall be preaddressed to the Election Board and shall contain a space in the upper left hand corner where the member shall place his/her name and address.

(d) Upon a member receiving an absentee ballot, he/she shall mark same and enclose it in the smaller envelope marked OFFICIAL BALLOT. This envelope shall then be placed in the larger envelope and mailed to the Election Board in time to be received before the polls are closed on election day. The Election Board shall open the envelopes, remove the smaller envelope marked OFFICIAL BALLOT and deposit same in the ballot box with the other ballots. No envelope received later than the time and date as determined and announced by the Executive Board shall be opened by the Election Board.

(e) No member receiving an absentee ballot shall be permitted to vote in person at the election, unless he/she has first returned the absentee ballot unmarked to the Election Judge.

(f) The Financial Secretary shall furnish to the Election Judge not less than ten (10) days before the election, an alphabetical list of all members eligible to vote. All members in good standing and qualified shall be entitled to vote.

(g) The Election Board shall select a depository to which the envelopes containing the absentee ballots shall be mailed. This shall not be the Local Union Post Office Box or the Local Union Headquarters. (Cost of such depository shall be paid by the Local Union.) The Election Board shall advise the Local Union of the location of such depository in sufficient time to prepare the preaddressed envelopes.

(h) When the polls have closed and voting has ceased, the Election Board shall immediately count and tabulate the ballots. Any candidate may be present or have an IBEW member designated by the candidate, as an observer present during the voting, opening of the absentee ballots, and at the counting of the ballots. The Election Board shall immediately make a report of the election results. All ballots, applications for absentee ballots and other papers shall be preserved for one (1) year from the date of the election after which they shall be destroyed unless a question has arisen in connection with the Election. A report of the election results shall be made immediately by the Election Board. All ballots, applications for absentee ballots, and other papers shall be preserved for one (1) year from the date of the election, after which same shall be destroyed unless a question has arisen in connection therewith.

(i) Voting shall be by secret ballot.

(j) Write-in votes shall not be permitted.

(k) The election shall be decided for the candidate receiving the most votes for a specific office.

Sec. 5. (a) The officers shall be those provided for in Article XVI of the IBEW Constitution.

(b) The offices of Business Manager and Financial Secretary shall be combined.

Sec. 6. The Executive board shall consist of the President, Vice President, Recording Secretary, Treasurer and 5 elective members, in which will come from the following: 2 at large, 1 MBTA, 1 outside, and 1 from Municipals.

Sec. 7. The Examining Board shall consist of three (3) elected members who shall serve as the examiners. They will hold separate meetings and keep separate records.

Sec. 8. (a) Nominations for officers shall be held in **May 2022**, and election of officers shall be held in **June 2022** and every **three (3) years** thereafter, as stated in Article XVII of the IBEW Constitution. Notice shall be mailed to all members at least twenty (20) days prior to the meeting for nominations in election years with all information regarding nominations, list of offices to be filled, date, time, and place of election, and the date, time and place of run-off election if required. Said notice shall also include all details concerning the availability of the absentee ballot.

(b) No member shall be a candidate for more than one (1) office, except as provided in these bylaws and with approval of the International President. If nominated for more than one office, the member shall immediately declare for which office he/she will be a candidate. However, this shall not apply to the offices which have been combined with the approval of the International President.

(c) Every candidate shall have the right once within thirty (30) days prior to the election to inspect a list containing the names and last-known addresses of all members of the Local Union. The membership list shall not be copied for the use of any candidate.

(d) No member shall be eligible for office unless he/she has been a member of Local Union 104 in continuous good standing for at least two (2) years immediately prior to nomination.

(e) No Apprentice shall be eligible to hold office in the Local Union.

ARTICLE IV
Executive Board

Sec. 1. The duties of this Board are outlined in Article XVII of the IBEW constitution and these bylaws.

Sec. 2. It shall be the duty of the Board to investigate all applications for membership and submit its report to the Local Union for action in accordance with Article XX of the IBEW Constitution. The preceding sentence shall not apply to apprentices as covered elsewhere in these bylaws. The Board shall also investigate and pass upon all traveling cards in full accordance with Article XXIII of the IBEW Constitution. The Board shall make its final report to the Local Union within sixty (60) days after the application or traveling card has been presented for Board consideration.

Sec. 3. Special meetings of the Executive Board may be called by the President, by its Chairman or the Business Manager-Financial Secretary.

Sec. 4. The Chairman of the Board is to be elected by the Board and Recording Secretary shall be the Secretary of the Board.

Sec. 5. The Board shall meet once monthly at such time as they decide.

ARTICLE V
Examining Board

Sec. 1. The duties of the Examining Board shall be to examine all applicants for membership to determine their qualifications for the trade. They shall examine such qualifications of members as provided in Article XIX of the IBEW Constitution. This section shall not apply to apprentices as covered elsewhere in these bylaws.

Sec. 2. The Board shall meet at least once quarterly for the examination of applicants when there are applicants to be examined. The Board shall retain all records of examinations given for at least two (2) years.

Sec. 3. A report on the results of all examinations shall be furnished to the Executive Board and the Local Union by the Examiners.

ARTICLE VI
Business Manager

Sec. 1. The Business Manager shall perform such duties as are stated in Article XVII of the IBEW Constitution and these bylaws. Also, the Business Manager shall perform such other duties as may be assigned by the Local Union and which are not in conflict with the IBEW Constitution and these bylaws.

Sec. 2. The Business Manager shall report to the Executive Board and the Local Union when called upon, or when he/she deems such necessary. The Executive Board and Local Union officers shall cooperate with the Business Manager in the performance of the duties of the office and shall not work in conflict with the Business Manager.

ARTICLE VII
Salaries

Sec. 1. Salaries shall be:

President	\$800.00 per year for service as President. Also \$60.00 for each Executive Board meeting attended.
Vice President	\$60.00 each meeting attended
Recording Secretary	\$90.00 per month, plus \$60.00 for each Executive Board meeting attended.
Treasure	\$90.00 per month, plus \$60.00 for each Executive Board meeting attended.
Executive Board Members (each)	\$60.00 each Board meeting attended
Business Manager – Financial Secretary	a weekly salary equal to 55 times the General Foreman’s (Construction Branch) straight time hourly wage.
Assistant Business Manager	a weekly salary equal to 55 times the Foreman’s (Construction Branch) straight time hourly wage.

Sec. 2. Should any two (2) offices be combined, then the officer shall receive the salary of only one (1) office, whichever is the higher.

Sec. 3. All disbursements for authorized expenditures made in behalf of the Local Union shall be supported by receipts, vouchers, or other reasonable proof of claim.

Sec. 4. Delegates to conventions away from home shall receive a minimum of \$10.00 a day expense allowance in addition to transportation. Delegates to conventions at home shall receive a minimum of \$5.00 a day expense allowance. In no case shall a delegate be paid for time lost from his regular work unless the payroll shows loss of time.

ARTICLE VIII
Committees and Delegates

Sec. 1. Committees and delegates shall be appointed in accordance with Article XVII of the IBEW Constitution.

Sec. 2. The delegates and alternates to the International Convention shall be nominated and elected in accordance with the nomination and secret ballot election procedure as set forth in these bylaws and Article II, Section 10 of the IBEW Constitution.

Sec. 3. The President and the Business Manager shall, by virtue of their respective offices, serve as delegates to the International Convention.

Sec. 4. The Business Manager shall be appointed a member of all committees handling any money or funds of the Local Union.

Sec. 5. A wage scale committee shall be appointed as provided by the IBEW Constitution, of at least three (3) members, but not more than five (5), to negotiate agreements. The Business Manager shall be a member of and serve as Chairman of this committee.

ARTICLE IX
Stewards

Sec. 1. Stewards shall be appointed where needed by the Business Manager. They shall work under the direction of the Business Manager and be subject to his/her authority. The Business Manager may remove any Steward, as such at any time.

Sec. 2. Duties of Stewards shall be:

To have a copy of the IBEW Constitution, these bylaws and the working agreement with them at all times.

To see that Union membership is encouraged and all workers at their respective shop or jobs have paid-up dues receipts or valid working cards of the Local Union.

To report any encroachment upon the jurisdiction of the Local Union.

To report to the Business Manager any violation of the bylaws or agreements.

To perform such other duties as may be assigned to them by the Business Manager.

Sec. 3. Stewards shall in no case cause a stoppage of work. In case of any trouble on a job or at a shop, Stewards shall immediately notify the Business Manager.

Sec. 4. Members working as Foreman, General Foreman or Superintendent shall not be appointed or function as Stewards of Local Union 104.

ARTICLE X
Assessments – Admission Fees – Dues

Sec. 1. All assessments imposed in accordance with the IBEW Constitution and these bylaws must be paid within the time required to protect the member’s continuous good standing and benefits.

Members shall not be required to pay assessments for welfare benefits in which they cannot participate.

Sec. 2. No money shall be collected from anyone working within the jurisdiction of this Local Union other than to apply on admission fees, dues and assessments established in accordance with the IBEW constitution and these bylaws.

Sec. 3. The admission fees shall be:

(a) “A” Membership

Outside –	
Journeyman Lineman	\$100.00
Apprentice Lineman	50.00
Outside CATV -	
Journeyman	25.00
Trainees and other	
Classifications	15.00

“A” or “BA” Membership

Utility –	
All classifications	25.00

(b) Each applicant eligible for “A” membership shall pay an additional \$2.00.

(c) Approval of these admission fees is given by the International President with the understanding that if conditions in the jurisdiction of the Local Union do not justify such fees, then the International President will be free to change the amounts.

Sec. 4. All applications must be accompanied by ten percent (10%) or more of the admission fee. Full payment (satisfactory arrangements may be made with the Executive Board) and admission must be completed within ninety (90) days of making application, in accordance with Article XX of the IBEW Constitution.

Sec. 5. Upon becoming a Journeyman, an Apprentice shall pay any difference in admission fee between Journeyman and Apprentice prevailing at the time he became an apprentice.

Sec. 6. (a) Any member in financial distress may appeal in writing to the Executive Board to have their dues advanced. The Executive Board shall have full power in such matter.

When a member’s dues are carried, the Recording Secretary shall make out a voucher in the name of the member for the amount. This shall be signed by the President and given to the Treasurer who shall issue a check to the member. The check shall be endorsed by such member and given to the Business Manager-Financial Secretary who shall issue the proper dues receipt.

All dues carried shall be charged to the member’s account by the Business Manager-Financial Secretary.

Sec. 7. The monthly dues shall be:

(a)	“A” Members	Basic Dues	Working Dues
	Outside –CATV – Tree Trimming		
	All classifications	\$2.70 plus	2% of gross earnings
	Outside –		
	All classifications	\$2.70 plus	3.5% of gross earnings
	“A” & “BA” Members		
	Utility		
	All classifications	\$2.70 plus	3.5% of gross earnings
	Municipal Light Departments		
	All classifications	\$2.70 plus	1.25% of gross earnings
	MBTA		
	All classifications	\$2.70 plus	2% of gross earnings

(b) Applicable International per capita and all assessments to be paid in addition to the above dues.

(c) Unemployed members and members working outside the jurisdiction of Local 104 shall pay Basic Dues only plus the International payments provided for in (b) above.

(d) All members of the IBEW shall pay Working Dues as provided for above when working in the jurisdiction of Local 104.

(e) Basic Dues are payable monthly in advance.

(f) Working Dues for the preceding month are due and payable not later than the regular meeting night of the month following the period worked.

(g) All members working on Outside Construction work shall maintain type "A" membership.

ARTICLE XI
Funds

Sec. 1. The funds of this Local Union are for the legitimate expenses required in its conduct and maintenance and shall not be diverted therefrom. Disbursements shall be made in accordance with Article XVIII of the IBEW Constitution and these bylaws.

Sec. 2. No money shall be loaned from the funds of this Local Union for any purpose, unless approved by the International President of the IBEW.

Sec. 3. The President shall appoint an auditing committee of three (3) members (or the President or the Executive Board, as the Local Union decides, shall employ a public accountant) to audit the books and accounts of the Local Union every three (3) months. A report of the audit must be made to the membership. The President shall inspect the bank books of the Treasurer to see that Local Union moneys turned over to the Treasurer have been properly and promptly deposited in the Local Union's name. The fiscal year shall be the twelve-month period ending December 31.

Sec. 4. The following funds are hereby established:

General Fund
Building Fund
Brotherhood Fund

Sec. 5. (a) Each month an amount equal to .25% of each member's working dues in Article X, Section 7(a) shall be transferred to and deposited in the Local 104 Building Trust Fund. Disbursements from the Fund shall require a majority vote of the members present and voting at a regular or specially called meeting. No disbursements shall be subject to prior approval of the International President.

(b) Each month an amount equal to .05¢ cents per hour worked of each member's working dues in Article X, Section 7(a) shall be transferred to and deposited in the Local 104 Brotherhood Trust Fund. Disbursements from the Fund shall require a majority vote of the members present and voting at a regular or specially called meeting. No disbursements shall be subject to prior approval of the International President

(c) These Funds may be terminated in accordance with the provisions of Article XVIII of these bylaws. When terminated, all assets remaining in the Fund shall be transferred to the General Fund.

(d) No other assets of the Local Union may be transferred to this Fund without prior approval of the International President.

(e) This fund shall be audited at the same time and in the same manner as the other funds of the Local Union.

ARTICLE XII
Admission of Members

Sec. 1. Qualification and admission of members shall be in accordance with Articles XIX and XX of the IBEW Constitution.

Sec. 2. Apprentices may be accepted into membership at any time; however, after having worked one (1) year under the supervision or jurisdiction of this Local Union, they shall be admitted to membership in accordance with Article XV of the IBEW constitution.

Sec. 3. (a) Instruction of apprentices shall be under the supervision of the apprenticeship committee, and apprentices shall attend such classes as directed by the committee.

(b) The above provision shall not apply to apprentices where the Local is a party to a Joint Apprenticeship and Training Committee (JATC) when provided for in an agreement with the employer. The decision(s) of such joint committee shall be accepted by the Local Union.

(c) An apprentice having been certified by the JATC as having successfully completed the prescribed apprenticeship program shall be immediately classified as a journeyman without further examination by the Local Union.

Sec. 4. Each applicant shall be required to pass an examination.

Sec. 5. Apprentices, Helpers, and Groundmen shall have a voice and vote at Local Union meetings and elections.

ARTICLE XIII

General Laws

Sec. 1. The Executive Board shall act as the Trial Board to hear charges and try members (except officers or representatives of a Local Union, Railroad Council, or System Council) for violation of the IBEW Constitution, these bylaws, or an approved working agreement. All charges against a member must be in writing and signed, specifying the provision(s) of the Constitution, bylaws, or working agreement allegedly violated. A brief factual written statement of the act(s) considered to be in violation, including relevant dates, places and names, should be given by the charging party. A copy of the charges must be furnished to the accused by the Recording Secretary with notice of when to appear before the Trial Board.

Sec. 2. A charged member, may, upon request, have an IBEW member in good standing as Counsel. However, no lawyer, as such may serve as Counsel in a hearing of the Trial Board. No person not a member of the IBEW may be present at such hearing, except as a witness.

If the accused willfully fails to stand trial or attempts to evade trial after having been notified in writing to appear, the Trial Board shall hear and determine the case just as though the accused were present. When a member files charges against another member and fails to appear before the Trial Board to prosecute the case, unless reasonable excuse is given, he/she shall be subject to discipline by the Trial Board.

Sec. 3. A majority vote of the Trial Board shall be sufficient for a decision, which is to be in writing. The Trial Board report of its findings and sentence, if any, shall be reported to the next regular meeting of the Local Union. The action of the Trial Board shall be considered the action of the Local Union, and the report of the Board shall conclude the case.

Sec. 4. All financial obligations (including but not limited to fines, assessments and unpaid dues and fees) owed by a member under the IBEW Constitution or the bylaws of this Local Union shall constitute debts owed by the member of the IBEW or the Local Union, and may be recovered through court action brought by the IBEW or the Local Union. If it is necessary for the Local to institute legal proceedings in order to recover any such debt, the individual member shall also be liable for all costs of said proceedings, together with a reasonable attorney's fee incurred by the Local, the amount thereof to be fixed by the Court.

Sec. 5. Each member shall keep the Financial Secretary informed of their correct address. The Financial Secretary shall, in turn, notify the International Secretary.

Sec. 6. The parliamentary rules of this Local Union shall be those stated in Article XV of the IBEW Constitution.

Sec. 7. The IBEW constitution is hereby made a part of these bylaws. Where there is doubt concerning any section of these bylaws or where such might appear to be in conflict with the IBEW Constitution, then the IBEW Constitution shall control and must be followed.

Sec. 8. Words in these bylaws in the masculine gender shall include the feminine.

Sec. 9. Members shall be supplied with copies of the IBEW Constitution, these bylaws, and the working agreement upon request to the Local Union.

Sec. 10. The handling of jobs for unemployed members shall be under the full supervision and direction of the Business Manager. The Business Manager shall devise such means as are considered practical and fair in the distribution of available jobs to qualified members. Members shall not violate such established rules or plans.

Sec. 11. Pickets as required shall be assigned alphabetically by the Business Manager in the following manner:

All members of Local Union 104 shall be subject to picket duty when called.

All members of the Local Union shall be listed alphabetically on the picket lists.

One picket list shall be established for pickets required during regular working hours and a second list shall be maintained for pickets required on other than regularly scheduled work hours.

After each member has served on a list, the pickets shall again be assigned from the start of the list.

ARTICLE XIV
Amendments

Sec. 1. These bylaws shall become effective upon approval by the International President.

Sec. 2. (a) These bylaws may be amended or changed by any such proposal being submitted in writing and read at two (2) regular meetings of the Local Union, and decided at the second meeting by a majority vote of the members present and voting.

(b) However, assessments, admission fees or dues shall be changed only by a majority vote by secret ballot of the members in good standing voting at a regular or special membership meeting.

Changes shall be introduced at one Local Union meeting and acted upon at a second Local Union meeting. The proposal cannot be acted on at the time it was proposed. A written notice specifically stating the proposed assessments or changes in admission fees or dues shall be mailed to each member in good standing at the member's last-known home address at least twenty (20) days prior to the Local Union meeting at which the membership is to vote on the question.

Sec. 3. No assessments, amendments or changes shall become effective until approved by the International President, in accordance with the IBEW Constitution.

Sec. 4. All previous bylaws are hereby rescinded.

**LOCAL UNION 104
RECORD OF AMENDMENTS**

District: Second

Location: Boston, Massachusetts

Bylaws Retyped in Entirety: June 6, 2006

DATE ARTICLES AND SECTIONS AMENDED

- 6/6/06 Bylaws in its' entirety revised according to pattern bylaws.
- 6/6/06 Art. I, Sec. 1 deleted Cable Television; Art. II, Sec. 2 amended; Art. III,
 Secs. 4 (a)-(b), (g) & (h), 6 and 7 amended; Art. IV, Sec. 5 amended; Art.
 X, Sec. 7(a); Art. XI, Sec. 4, new Sec. 5(b) added with subsequent sections
 renumbered. Updated Articles of Incorporation.
- 3/21/07 Art. VII, Sec. 1 amended. Updated Constitutional Articles.
- 5/20/14 Art. X, Sec. 7(a) amended.
- 1/26/21 Art. I, Sec. 1 amended.