

GENERAL EXECUTIVE BOARD AND  
DELEGATE RESOLUTIONS SUBMITTED  
TO THE 2006 CONVENTION

LABORERS' INTERNATIONAL UNION  
OF NORTH AMERICA





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# RESOLUTION 1

## Constitution and Law

### (Committee on Constitution and Law)<sup>1</sup>

***Be It Resolved,***

That the International Union Constitution be amended to provide:

**Article II – Objects and Powers – Section 1. Objects:**

- (r) To organize the unorganized and to take all such other action, including but not limited to donations, contributions and other activities, as may tend to conserve, ~~and~~ promote and foster good will and public support for the welfare and interest of this International Union, its affiliates and members.

**Article III – Jurisdiction – Section 1:**

- (b) The trade jurisdiction of this International Union shall include all work recited in the original charter grant from the American Federation of Labor in 1903 and that work subsequently granted by the American Federation of 1912; and all the jurisdiction acquired by mergers and amalgamations with the Compressed Air and Foundation Workers International Union, the Tunnel and Subway Contractors International Union, the International Union of Pavers, Rammermen, Flag Layers, Bridge and Stone Curb Setters and Sheet Asphalt Pavers, the Journeymen Stone Cutters Association of North America, ~~the National Association of Post Office Mail Handlers, Watchmen, Messengers and Group Leaders Union, the National Federation of Independent Unions, National Postal Mail Handlers Union~~ and all work granted by the decisions of the American Federation of Labor and its affiliated Departments and as a result of decisions of public and private tribunals; and as a result of trade or area practice or subsequent mergers; as a result of organization and collective bargaining agreements; as historically and traditionally exercised by the International Union, including the Industrial, Health Care and Public Service Sectors, and as outlined in the Manual of Jurisdiction declared and promulgated by the General Executive Board.

**Article VI – Officers – Section 7. Salaries – Paragraph 1:**

The salary of the General President shall be increased from ~~two hundred and one thousand six hundred twenty-four dollars (\$201,624.00)~~ two hundred ninety two thousand six hundred thirty-two dollars and forty- nine cents (\$292,632.49) to ~~two hundred and fifty thousand dollars (\$250,000.00)~~ three hundred and fifty thousand dollars (\$350,000) a year; the salary of the General Secretary-Treasurer shall be increased from ~~one hundred ninety-three thousand five hundred sixty dollars (\$193,560.00)~~ two hundred seventy five thousand seventy four dollars and fifty-two cents (\$275,074.52) to ~~two hundred thirty-five thousand dollars (\$235,000.00)~~ three hundred and thirty-five thousand dollars (\$335,000) a year; the annual salary of each Vice President and the salary of the President of the Mail Handlers

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<sup>1</sup> Certain constitutional amendments appearing in this resolution, which for completeness includes all proposed constitutional amendments, also appear in other resolutions. Where a constitutional amendment appears in another resolution as well as this one, the committee referral is indicated by footnote.

**LIUNA: GEB RESOLUTIONS**

Division as an ex-officio member of the General Executive Board shall be set at ~~twenty-five thousand dollars (\$25,000.00)~~ fifty thousand dollars (\$50,000) a year, provided that if the Vice President's total compensation from LIUNA and its affiliated or subordinate bodies is less than ~~fifty-seven thousand five hundred dollars (\$57,500.00)~~ seventy thousand dollars (\$70,000), LIUNA will pay the Vice President an additional amount to bring the Vice President's total annual compensation from LIUNA and its affiliated or subordinate bodies to ~~fifty-seven thousand five hundred dollars (\$57,500.00)~~ seventy thousand dollars (\$70,000).

**Article VIII – General Executive Board – Section 1:**

The General Executive Board of this International Union shall be composed of the General President, the General Secretary-Treasurer, the four Vice Presidents at Large, and nine District Vice Presidents and on an ex-officio basis, the President of the Mail Handlers Division, also known as the National Postal Mail Handlers Union. By virtue of election to such office, each District Vice President shall serve as a representative to any Regional Organizing Fund within the District.

**Article VIII – General Executive Board – Section 2:**

(f) It shall have the authority to order the issuance of provisional or other charters to Local Unions, District Councils or other subordinate bodies, specifying the territorial and craft jurisdiction to be allotted, when and where, in its opinion, the issue of such provisional or other charter would tend to accomplish, promote, enhance and conserve the welfare and interest of this International Union, its affiliates and members. Where a provisional charter is in effect, the General President is authorized to appoint, at his discretion an officer or member of the Executive Board, delegate or representative at any time without notice or hearing and to revoke, amend, merge, consolidate, or otherwise amend such provisional charter without notice or hearing.

**Article XIII – Revenue:**

Section 1. The revenue of this International Union from affiliated Local Unions shall be as follows:

(a) Charter and Initial Supplies ..... ~~\$25.00~~ \$35.00

Monthly Per Capita Tax (including apprentice members and agency fee payers):

Effective January 1, <del>2002</del> <u>2007</u> .....	<del>\$12.00</del> <u>\$14.50</u>
Effective January 1, <del>2003</del> <u>2008</u> .....	<del>\$12.50</del> <u>\$15.00</u>
Effective January 1, <del>2004</del> <u>2009</u> .....	<del>\$13.00</del> <u>\$15.50</u>
Effective January 1, <del>2005</del> <u>2010</u> .....	<del>\$13.50</del> <u>\$16.00</u>

Any affiliate which received income or revenue from bargaining unit members who do not become members or apprentice members, shall pay a monthly assessment on such unit members to the International Union in an amount equal to the then-applicable per capita for members.

(b) Initiation Fee

Effective January 1, ~~2002~~ 2007 ..... ~~\$45.00~~ 55.00

Readmission Fee

Effective January 1, ~~2002~~ 2007 ..... ~~\$20.00~~ 25.00

**Article XIV – Funds:**

Section 1. There shall be maintained a General Fund, a Regular Convention Fund, and such other special funds as may be duly established in accordance with the International Union Constitution, by order of the General Executive Board.

Section 4. There shall be established and maintained, by an Agreement and Declaration of Trust entered into by the General Executive Board on behalf of the International Union, with three persons who shall then serve as Trustees of the Pension Fund, a separate and distinct Pension Fund for full-time officers and employees of Local Unions and District Councils, affiliated with the Laborers’ International Union of North America, and employees of the International Union, which shall be known and designated as L.I.U.N.A. LOCAL UNION AND DISTRICT COUNCIL PENSION FUND for the purpose of receiving and disbursing all money necessary to finance such a Pension Fund. The three Trustees of the Pension Fund shall at all times be those persons who occupy the office or position of General President, General Secretary-Treasurer and General Counsel; such trust agreement shall be substantially consistent with the draft form submitted to and discussed by the Resolutions Committee of the Fourteenth Convention, and in conformity with the Convention Resolution adopted by the aforesaid Fourteenth Convention.<sup>2</sup>

**Article XV – Apportionment and Distribution of Revenue**

Section 1. The apportionment, distribution and allocation from initiation fees, readmission fees and per capita tax received by the International Union to each of the various Funds shall be as follows:

INITIATION FEES: One hundred percent (100%) thereof shall belong to the General Fund.

READMISSION FEES: One hundred percent (100%) thereof shall belong to the General Fund.

PER CAPITA TAX: Effective January 1, 2002 7, ~~eleven dollars and fifty cents~~ fourteen dollars (\$11.50 \$14.00) thereof shall belong to the General Fund; fifty cents (\$.50) thereof shall belong to the Regular Convention Fund.

Effective January 1, 2003 8, ~~twelve dollars~~ fourteen dollars and fifty cents (\$12.00 \$14.50) thereof shall belong to the General Fund; fifty cents (\$.50) thereof shall belong to the Regular Convention Fund.

Effective January 1, 2004 9, ~~twelve dollars and fifty cents~~ fifteen dollars (\$12.50 \$15.00) thereof shall belong to the General Fund; fifty cents (\$.50) thereof shall belong to the Regular Convention Fund.

Effective January 1, 2005 10, ~~thirteen dollars~~ fifteen dollars and fifty cents (\$13.00 \$15.50) shall belong to the General Fund; fifty cents (\$.50) thereof shall belong to the Regular Convention Fund.

With respect to the per capita tax charged for retirees, five dollars (\$5.00) thereof shall belong to the General Fund.

~~The International Union Staff Pension or Retirement Fund shall be funded on an actuarial cost basis to comply with applicable pension law. The General Fund of the International Union will make monthly employer contributions to the International Union Staff Pension or Retirement Fund based on actuarial~~

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<sup>2</sup>. These amendments to IUC, Art. XIV, §§1 & 4, appear in the resolution on the LIUNA Staff Pension Plan and Local Union and District Council Pension Fund, which has been assigned to the Committee on Constitution and Law.

cost as determined by the actuary. There will be no direct allocation of per capita tax or fees to the International Union Staff Pension or Retirement Fund; and the funding of the Plan will be the obligation of the International Union General Fund.<sup>3</sup>

**Article XVIII – Obligations of Affiliates:**

Section 3. Each Local Union shall, through its Secretary-Treasurer, pay to the International Union a per capita tax of ~~\$12.00~~ \$14.50 effective January 1, 2002 ~~7~~, ~~\$12.50~~ \$15.00 effective January 1, 2003 ~~8~~, ~~\$13.00~~ \$15.50 effective January 1, 2004 ~~9~~, and ~~\$13.50~~ \$16.00 effective January 1, 2005 ~~10~~, payable for the current month on each member in the Local Union and, pay an initiation fee of ~~\$35.00 for each member registered with the International Union as a member and \$15.00 for each member readmitted; and effective January 1, 2002, pay an initiation fee of \$45.00 for each member registered with the International Union and \$20.00 for each member readmitted; and, effective January 1, 2007, pay an initiation fee of \$55.00 for each member registered with the International Union and \$25.00 for each member readmitted;~~ each initiation fee and each readmission fee must be accompanied by the per capita tax for the month in which the member is registered or readmitted. For retirees each Local Union shall pay to the International Union a per capita tax of \$5.00 per retired member each month.

Section 8. (a) Effective January 1, 2002 ~~7~~, Local Unions shall charge not less than ~~forty-five dollars~~ fifty-five dollars (\$45.00 \$55.00) nor directly or indirectly more than ~~six hundred dollars~~ seven hundred dollars (\$600.00 \$700.00), as an initiation fee.

(c) Each Local Union shall fix and regulate the dues payable by its members in such amount as is lawful and necessary to carry out its objects, purposes and obligations; except for apprentice members, such amount shall not be less than ~~twenty dollars~~ twenty-five (\$20.00 \$25.00) as of January 1, 2002 ~~7~~, ~~twenty-one dollars~~ twenty-six dollars (\$21.00 \$26.00) as of January 1, 2003 ~~8~~, ~~twenty-two dollars~~ twenty-seven dollars (\$22.00 \$27.00) as of January 1, 2004 ~~9~~, ~~twenty-three dollars~~ twenty-eight dollars (\$23.00 \$28.00) as of January 1, 2005 ~~10~~, and ~~twenty-four dollars~~ twenty-nine (\$24.00 \$29.00) as of January 1, 2006 ~~and twenty-nine (\$29) as of January 1, 2011~~. In areas where District Councils exist, said dues shall be fixed and regulated as provided for in Article II, Section 2(e) and Article VIII, Section 2 of the Uniform District Council Constitution. Affiliates shall have the authority upon the recommendation of the Executive Board and approval by the membership to set a lesser schedule of minimum dues for apprentice members. Regular monthly dues for apprentices may be reduced but not eliminated. A member who has held continuous membership for 50 years or more shall receive a gold membership card and shall be excused from the payment of any further dues obligation, and the member's Local Union shall not owe per capita tax for such member, in tribute to their years of service and devotion to the Laborers' International Union.

(d) All dues, whether below, at, or above the minimum of ~~nineteen dollars (\$19.00)~~ shall be increased by no less than one dollar (\$1.00) per month no later than January 1, 2002 ~~7~~, by an additional one dollar (\$1.00) no later than January 1, 2003 ~~8~~, by an additional one dollar (\$1.00) on January 1, 2004 ~~9~~, by an additional one dollar (\$1.00) on January 1, 2005 ~~10~~, and ~~by an additional one dollar (\$1.00) on January 1, 2006 and by an additional one dollar (\$1.00) on January 1, 2011~~.

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<sup>3</sup> The deletion of this paragraph to IUC, Art. XIV, §4, appears in the resolution on the LIUNA Staff Pension Plan and Local Union and District Council Pension Fund, which has been assigned to the Committee on Constitution and Law.

**Article XX - Mail Handlers Division**

Section 2. The per capita tax payable by the Mail Handlers Division to the International Union shall be three dollars and sixty cents (\$3.60), which effective January 1, 2007, shall increase to four dollars and five cents (\$4.05) and effective January 1, 2008, shall increase to four dollars and thirty cents (\$4.30) and effective January 1, 2009, shall increase to four dollars and fifty-five cents (\$4.55) and effective January 1, 2010, shall increase to four dollars and eighty cents (\$4.80), per associate member per year, which shall belong to the General Fund. ~~The General Executive Board may increase the associate member per capita tax in an amount not to exceed any per capita tax increase adopted by the AFL-CIO with respect to associate members.~~

**Article XXI - Transfers**

Section 4. A member shall not be entitled to the right of transfer until after six months from the member's initiation or readmission.

**Article XXIV – Miscellaneous Provisions – Section 3. (a):**

The General Executive Board may establish rules to allow a privilege to members in good-standing who enter military service, to be reinvested with their period of good-standing prior to military service, provided they report to their Local Union on their return from military service, within ninety days from the date of discharge and pay the current month's dues. Such members may continue their good-standing by paying an amount equivalent to the monthly per capita tax to their Local Union while in military service; members who continue their good standing in accordance with this provision and who are honorably discharged from military service shall be deemed to have been regularly working at the calling during the period of military service within the meaning of Article V, Section 4 of the Uniform Local Union Constitution.

That the Uniform Local Union Constitution be amended to provide:

**Article II – Objects, Powers and Obligations – Section 3. Obligations:**

- (c) Local Unions within the territorial and trade jurisdiction of a District Council shall affiliate with such District Council and shall also affiliate with appropriate Bodies, such as National Construction Alliance Councils, Building and Construction Trades Councils, Metal Trades Councils, Maritime Trades Councils, State Federations of Labor and Central Bodies; In the event that a Local Union is not affiliated with a District Council, then such Local Union shall affiliate with any Regional Organizing Fund that has been established and is operating within its territorial jurisdiction.<sup>4</sup>
- (g) When the General President, upon investigation, finds that the average good-standing membership of a Local Union, over a period of one year, is less than ~~200~~ 300 members and, after investigation finds that the Local Union has not effectuated the purposes for which it was chartered, the General President shall declare the charter of said Local Union suspended. When such declaration of suspension has been made by the General President, or the charter of a Local Union ceases to exist for any reason, the good-standing members of such Local Union shall transfer into such other affiliated Local Unions of the International Union, as designated by the General President, within a period of thirty days from the date of notice of suspension;

<sup>4</sup> This amendment to ULUC, Art. II, §3(c), appears in the resolution on Organizing, which has been assigned to the Committee on Organizing and Capital Strategies.

**Article IV – Officers**

Section 3. Subject to the approval of the General President, an officer or employee of a Local Union may also hold office in or be employed by another body of the Union and receive the salary and other compensation provided for such position, provided that if the salary or other compensation for such other position does not exceed ~~\$12,000.00~~ \$25,000.00 per year, such approval shall not be required.

Section 4 D

- (7) The Secretary-Treasurer, in addition to the monthly per capita tax corresponding to the monthly dues paid to the Local Union by its members, shall pay to the International Union and the District Council with which the Local Union is affiliated each month or more often, initiation fees and readmission fees for those who have paid similar fees to the Local Union, giving the full names, addresses, dates of birth, ~~and~~ social security numbers, e-mail addresses or such other member information as may lawfully be required of those to be initiated or readmitted. The Secretary-Treasurer shall also make payment, when due, of all other lawful payments and obligations due and owing to the International Union and the District Council with which the Local Union is affiliated.

**Article IV – Officers – Section 4. Duties of Officers – (D) Secretary-Treasurer:**

- (9) Each Local Union, through its Secretary-Treasurer, is charged with the obligation of registering all applicants for membership with the International Union, upon receipt by it of the initiation fee or of the first ~~\$35.00~~ 45.00 paid by the prospective member toward the initiation fee, whichever occurs first; effective January 1, 2002 7, the foregoing ~~\$35.00~~ 45.00 shall be increased to ~~\$45.00~~ 55.00. The Local Union shall have the privilege of withholding the membership card received from the International Union for such registration, until the individual has completed payment of the full amount of the initiation fee payable to the Local Union.

**Article VI – Nomination and Election of Officers- Section 4 (b):**

The Business Manager of a Local Union elected in conformance with the provisions of Article VI of the Uniform Local Union Constitution shall, by virtue of such election, serve as a delegate from the Local Union to the appropriate District Council and all other local labor bodies, and, if not affiliated with any District Council, to any Regional Organizing Fund with which the Local Union is affiliated. All other delegates of a Local Union to a District Council shall be nominated and elected in accordance with all the constitutional provisions dealing with qualifications, nominations and election of officers of Local Unions, except that the Executive Board may, in advance of the nomination of officers, determine that either its President or Secretary-Treasurer (but not both) shall, by virtue of the elected office, also serve as a delegate. The foregoing provision does not apply to the selection of delegates to the International Union Convention;

**Article VIII – Initiation Fees, Readmission Fees, Dues and Assessments – Section 3:**

In all instances, the initiation fee shall be not less than ~~fifteen~~ forty-five dollars (~~\$15.00~~ 45.00) nor more than ~~five~~ six hundred dollars (~~\$500.00~~ 600.00). Effective January 1, 2002 7, the initiation fee shall be not less than ~~forty-five~~ fifty-five dollars (~~\$45.00~~ 55.00) nor more than ~~six~~ seven hundred dollars (~~\$600.00~~ 700.00). The dues shall be not less than ~~nineteen~~ twenty-five dollars (~~\$19.00~~ 25.00) as of January 1,

2000 ~~7~~, ~~twenty~~ twenty-six dollars (~~\$20.00~~ 26.00) effective January 1, 2002 ~~8~~, ~~twenty-one~~ twenty-seven dollars (~~\$21.00~~ 27.00) effective January 1, 2003 ~~9~~, ~~twenty-two~~ and twenty-eight dollars (~~\$22.00~~ 28.00) effective January 1, 2004 ~~10~~, ~~twenty-three~~ dollars (~~\$23.00~~) effective January 1, 2005 ~~11~~, and ~~twenty-four~~ dollars (~~\$24.00~~) effective January 1, 2006 and not less than twenty-nine (\$29.00) effective January 1, 2011. All dues whether below, at, or above the minimum of ~~nineteen dollars~~ (~~\$19.00~~) shall be increased by no less than one dollar (\$1.00) per month no later than January 1, 2002 ~~7~~, by an additional one dollar (\$1.00) on January 1, 2003 ~~8~~, by an additional one dollar (\$1.00) effective January 1, 2004 ~~9~~, by an additional one dollar (\$1.00) effective January 1, 2005 ~~10~~, and by an additional one dollar (\$1.00) no later than January 1, 2006 and by an additional one dollar (\$1.00) on January 1, 2011. Affiliates shall have the authority upon the recommendation of the Executive Board and approval by the membership to set a lesser schedule of minimum dues and initiation fees for apprentice members. If a reduced initiation fee is charged to an apprentice member, the balance of the fee may be assessed at the time the apprentice acquires full membership.

That the Uniform District Council Constitution be amended to provide:

**Article III – Obligations – Section 1:**

The District Council shall carry out, perform and comply with all of the objects and powers as outlined in Article II of this Constitution and the objects of the International Union. This obligation shall include, but not be limited to, the exercise of the District Council's authority to bargain on behalf of its affiliated Local Unions. Each District Council shall affiliate with any Regional Organizing Fund that has been established and is operating within its territorial jurisdiction.<sup>5</sup>

**Article V – Officers – Section 3:**

Subject to the approval of the General President, an officer or employee of a District Council may also hold office in or be employed by another body of the Union and receive the salary and other compensation provided for such position provided that if the salary or other compensation for such other position does not exceed \$25,000.00 per year, such approval shall not be required.

**Article VI – Election of Officers – Section 2. Nomination and Election:**

(d) Nominations shall be made in the following order: Business Manager- Delegate, Secretary-Treasurer, President, Vice President, Executive Board Members (3), Sergeant-at-Arms and Auditors (3).

**Article VII – Duties of Officers – Section 4 - Business Manager:**

(b) (6) By virtue of election, the Business Manager shall serve as a delegate to all other local ~~labor bodies~~ or regional labor bodies including but not limited to any Regional Organizing Fund with which the District Council is affiliated.

<sup>5</sup> This amendment to UDCC, Art. III, §1, appears in the resolution on Organizing, which has been assigned to the Committee on Organizing and Capital Strategies.

## **RESOLUTION 2**

### **Approval and Ratification of Constitutional Amendments Adopted by the General Executive Board and Approval of Related Amendments Pertaining to the Death Benefit Fund (Committee on Constitution and Law)**

Pursuant to Article VIII, Section 2(b) of the International Union Constitution, the General Executive Board may act between Conventions to amend the Constitution of the International Union or the Uniform Constitutions of affiliated Local Unions or District Councils provided that any such new legislation or amendment shall automatically be subject to ratification by the delegates to the next General Convention of the International Union. The General Executive Board has on several occasions since the 22<sup>nd</sup> Convention acted pursuant to such authority, and, more particularly:

1. By vote on July 8, 2004, the General Executive Board approved certain changes to Article XII, Section 3 of both the Uniform Local Union Constitution and the Uniform District Council Constitution pertaining to trial board procedures. These amendments followed a decision of the Appellate Officer issued on May 12, 2004, which specifically limited the authority of the General President in cases of conflict to refer trial board charges to a District Council or to the Independent Hearing Officer. The amendments restored the General President's discretion to make referral of such charges.

#### **Article XII, Section 3 of the Uniform Local Union Constitution**

Where ~~the entire one or more members of the~~ Executive Board of a Local Union ~~appears~~ appear to be disqualified, the matter may be referred to the General President who shall be entitled to investigate to determine whether such disqualification exists. Upon a finding of disqualification, the General President shall have discretion to assume original jurisdiction over such charges, in which case the matter shall be referred to the Independent Hearing Officer to hear such charges for decision and disposition; or, in the General President's discretion, the charges may be referred to the appropriate District Council for trial.

#### **Article XII, Section 3 of the Uniform District Council Constitution**

Where ~~the entire one or more members of the~~ Executive Board of a District Council ~~appears~~ appear to be disqualified, the matter may be referred to the General President who shall be entitled to investigate to determine whether such disqualification exists. Upon a finding of disqualification, the General President shall have discretion to assume original jurisdiction over such charges, in which case the General President shall refer the matter to the Independent Hearing Officer to hear such charges or decision and disposition.

2. At its meeting commencing on December 18, 2001, the General Executive Board amended Article V, Section 4 of the International Union Constitution, as follows:

**Article V, Section 4 of the International; Union Constitution**

Each Local Union in good standing and having a total member of at least ~~200~~ 300 members, shall be entitled to representation as follows: one delegate for each ~~200~~ 300 members, determined by dividing the total membership by ~~200~~ 300 and rounding up only for any excess of 0.5 or greater, provided, however, that any Local Union having a total membership of less than ~~200~~ 300 shall have its membership combined, for the purpose of election of Convention delegates only, with that of another Local Union designated by the General Executive Board subject to review by the Elections Officer pursuant to Article VII, Section 8 of the International Union Constitution and to a determination by the General Executive Board Attorney that such combinations are not inconsistent with the objectives and purposes of the L.I.U.N.A. Ethical Practices Code and by the L.I.U.N.A Ethics and Disciplinary Procedure. Local Unions so affected shall be so notified by the General President not later than April 30 of the year in which a regular Convention is to be held, with a copy to the Elections Officer. The total membership shall be the average membership for the twelve months ending December 31 of the year immediately preceding the Convention. Each District Council in good standing shall be entitled to one delegate.

3. At its meeting commencing April 18, 2005, and in anticipation that the Death Benefit Fund would have depleted its assets within the foreseeable future, the General Executive Board amended Article XXII, Section 1 of the International Union Constitution and Articles III, Section 2(f) and Article XI of the Uniform Local Union Constitution to clarify the eligibility of members for entitlement to benefits from the International Union's Death Benefit Fund and thereafter voted to continue funding for the Death Benefit Fund from the General Fund to the 2006 Convention in contemplation that all remaining Fund assets will be depleted and all claims for benefits will be extinguished in any case no later than deaths occurring on or before Dec. 31, 2006.

**Article XXII, Section 1 of the International Union Constitution**

Upon the death of a member whose ~~earliest~~ latest date of ~~initiation~~ admission or readmission is prior to January 1, 1997, and who at the time of death was and had ~~since~~ been in continuous good standing with the International Union ~~for one year and up to six years~~ and who when last admitted or readmitted to membership was in good health, the International Union will pay to those legally entitled thereto the sum of one hundred dollars (\$100.00); and for such member who had been in continuous good standing for six years and up to twelve years the International Union will pay to those legally entitled thereto the sum of two hundred dollars (\$200.00); and for such member who had been in continuous good standing for twelve years and up to eighteen years the International Union will pay to those legally entitled thereto the sum of five hundred dollars (\$500.00); and for such member who had been in continuous good standing for eighteen years and up to twenty-four years the International Union will pay to those legally entitled thereto the sum of one thousand dollars (\$1,000.00); and for such member who had been in continuous good standing for more than twenty-four years the International Union will pay to those legally entitled thereto the sum of one thousand five hundred dollars (\$1,500.00). The General Executive Board shall have the power and authority to act between Conventions to adjust the foregoing benefit levels and/or membership provision if it is determined that such an adjustment is reasonably necessary to preserve the financial integrity of the Death Benefit Fund or to terminate the Fund and extinguish any claim to benefits upon the depletion of the assets remaining in the Fund.

**Article III, Section 2(f) of the Uniform Local Union Constitution**

To the death benefit provided that the member was initiated prior to January 1, 1997 described in Article XXII of the International Union Constitution.

**Article XI of the Uniform Local Union Constitution**

A death benefit will be paid as the result of the death of a member ~~whose earliest date of initiation is prior to January 1, 1997, and who was in good-standing at the time of death, to those legally entitled thereto,~~ in accordance with Article XXII, Sections 1, 2, and 3 of the International Union Constitution provided that the General Executive Board may terminate the Fund and thereby extinguish any claims to benefits upon the depletion of the assets remaining in the Fund.

4. At its meeting on February 12, 2006, the General Executive Board approved certain changes to Article XIV, Section 2 of the International Union Constitution in order to allow the General Executive Board from time to time, and as appropriate, to transfer assets between the General Fund and the Convention Fund. This amendment was in recognition of the fact that, in the past, in excess of seven million dollars (\$7,000,000.00) was transferred from the General Fund to the Convention Fund and that the Convention Fund is now in surplus.

**Article XIV, Section 2 of the International Union Constitution**

Section 2. These Funds and their assets shall be kept separate and distinct from each other and the proceeds of one Fund shall not be used to meet the obligations of another Fund. Each Fund shall be liable for its particular obligations, except that the General Executive Board, from time to time upon the recommendation of the General President and the General Secretary- Treasurer, may transfer assets by and between the General Fund and the Convention Fund if the General Executive Board determines the transfer to be reasonable in the circumstances. Notwithstanding this or any other provision of this Constitution to the contrary, a portion of the payments and contributions described herein may be applied to finance a supplemental, excess benefit retirement program that may be established and maintained by the General Executive Board for the benefit of participants and beneficiaries in the L.I.U.N.A. Local Union and DISTRICT COUNCIL PENSION FUND, and the revenue of the L.I.U.N.A LOCAL UNION AND DISTRICT COUNCIL PENSION FUND shall then consist of such payments and contributions less the amounts applied first to finance such supplemental program.

5. By vote on June 28, 2006, the General Executive Board modified the provisions of Article V, Section 14 of the International Union Constitution to more accurately describe and designate the standing Committees of the Convention

**Article V, Section 14 of the International Union Constitution**

The Committees of the Convention, except as herein otherwise provided, shall be composed of ~~at least nine members or such greater number as determined by the General President~~ and shall be as follows:

Committee on Credentials and Audit  
Committee on Order of Business and Rules  
Committee on ~~General Executive Board's Report~~ Organizing and Capital Strategies  
Committee on General President's Report  
Committee on General Secretary-Treasurer's Report  
Committee on Constitution and Law  
Committee on Resolutions  
Committee on Organization and the Future  
Committee on Grievances, Adjustments and Appeals  
Committee on ~~Education, Training and Safety~~ Tri-Funds  
Committee on Welfare and Pension  
Committee on Legislation and ~~Public Affairs~~ and Political Action  
Committee on Canadian ~~and International~~ Affairs  
Committee on Apprenticeship; and

That the Committee on General President's Report, in addition to those matters historically assigned to the Committee, be assigned matters previously assigned to the Committee on General Executive Board's Report.

NOW, THEREFORE, BE IT RESOLVED that the delegates approve and ratify the foregoing amendments as provided by Article VIII, Section 2(b) of the International Union Constitution.

AND BE IT FURTHER RESOLVED that, in consideration of the action by the General Executive Board on April 18, 2006, as recited above and in contemplation of the anticipated exhaustion of all assets remaining in the Death Benefit Fund and the consequent termination of the Fund by the payment of expenses and claims for deaths occurring on or before December 31, 2006, the following constitutional amendments to or deletions from, the International Union Constitution be approved and ratified by the delegates:

**Article XIV, Section 1 of the International Union Constitution**

Section 1. There shall be maintained a General Fund, ~~a Death Benefit Fund~~; an International Union Pension or Retirement Fund, a Regular Convention Fund, and such other special funds as may be duly established in accordance with the International Union Constitution, by order of the General Executive Board.

**~~Article XXH - of the International Union Constitution~~**

Section 1. Upon the death of a member whose earliest date of initiation is prior to January 1, 1997, and who at the time of death was and had been in continuous good standing with the International Union for one year and up to six years and who when last admitted or readmitted to membership was in good health, the International Union will pay to those legally entitled thereto the sum of one hundred dollars (\$100.00); and for such member who had been in continuous good standing for six years and up to twelve years the International Union will pay to those legally entitled thereto the sum of two hundred dollars (\$200.00); and for such member who had been in continuous good standing for twelve years and up to eighteen years the International Union will pay to those legally entitled thereto the sum of five hundred dollars (\$500.00); and for such member who had been in continuous good standing for eighteen years and up to twenty-four years the International Union will pay to those legally entitled thereto the sum of one thousand dollars (\$1,000.00); and for such member who had been in continuous good standing for more than twenty-four years the International Union will pay to those legally entitled thereto the sum of one thousand five hundred dollars (\$1,500.00). The General Executive Board shall have the power and authority to act between Conventions to adjust the foregoing benefit levels and/or membership provisions if it is determined that such an adjustment is reasonably necessary to preserve the financial integrity of the Death Benefit Fund. In the event of accidental death while actually working at the calling, where the accident was the direct and proximate cause of death, the death benefit payable shall be double the amount provided for in this section. "Actually working at the calling" is hereby defined to mean that the decedent was employed at the jurisdiction of this International Union pursuant to the terms of an agreement with an affiliate.

Section 2. The burden shall be upon the individual claiming the death benefit to furnish proof that said claimant is legally entitled to the benefit and also to furnish sufficient proof of death and to furnish proof of the good-standing of the member at the time of death, together with the membership card of the deceased. The claimant shall fill out, sign and acknowledge a certificate of the truth of the statements contained in the death claim form, which form shall be as prepared by direction of the General Secretary-Treasurer. The officers of the Local Union of which the deceased was a member shall assist the claimant in preparation of the proof as required, insofar as the membership and standing of the deceased as a member of the Local Union is concerned and furnish claimant with a copy of the prescribed death claim form.

In the event of presentation of conflicting claims over the decease of a member or in the event that the General Secretary-Treasurer has any doubt that a claimant is legally entitled to the death benefit, the General Secretary-Treasurer shall require such proof as may be deemed necessary to substantiate the validity of the claim.

Upon the presentation of valid and properly filed claims where more than one death benefit may be payable, the liability of the International Union shall be limited to the highest single death benefit payable.

~~Section 3. If no proper claim for benefit is made within one year of the death of a member, no death benefit shall be payable. If a timely claim for payment of a death benefit is made and the claim is rejected by the International Union, the claim shall be barred unless suit is brought therefor and commenced within one year from the rejection thereof by the International Union.~~

**Article III of the Uniform Local Union Constitution**

~~Section 2(f). To the death benefit described in Article XXII of the International Union Constitution.~~

AND NOW BE IT FURTHER RESOLVED that, in consideration of the action by the General Executive Board of April 18, 2006, and in contemplation of the anticipated exhaustion of all assets remaining in the Death Benefit Fund and the consequent termination of the Fund by the payment of expenses and claims for deaths occurring on or before December 31, 2006, the following constitutional amendments to the Uniform Local Union Constitution be approved and ratified by the delegates:

**Article XI of the Uniform Local Union Constitution**

A death benefit will be paid as the result of the death of a member whose earliest date of initiation is prior to January 1, 1997, and who was in good standing at the time of death, to those legally entitled thereto, in accordance with Article XII, Sections 1, 2, and 3 of the International Union Constitution.

## **RESOLUTION 3**

### **Concerning the LIUNA Staff Pension Plan and the LIUNA Local Union and District Council Pension Fund (Committee on Constitution and Law)**

Pursuant to Convention Resolution and the International Union Constitution, the International Union established and maintains the LIUNA Staff Pension Plan to provide retirement benefits for employees of the International Union. Pursuant to Convention Resolution and the International Union Constitution, the International Union also established and maintains the LIUNA Local Union and District Council Pension Fund to provide retirement benefits for employees of Local Unions and District Councils affiliated with the Laborers' International Union of North America and other related organizations.

Pursuant to the International Union Constitution, the Uniform Local Union Constitution, and the Uniform District Council Constitution, Local Unions and District Councils are required to contribute to the Local Union and District Council Pension Fund for all full-time officers and employees at a rate set in the Constitution.

Both the Staff Pension Plan and the Local Union and District Council Pension Fund have been, and remain, well funded. However, it makes good sense to merge the two pension plans. The benefit structures of the plans are so similar as to make maintaining two separate plans unnecessary. By merging the two pension plans, the Union could save significantly on the administrative and professional expenses necessary to properly maintain and administer a pension plan. A consolidated plan would be more cost efficient and have more purchasing power. Furthermore, providing coverage under the same pension plan for all employees of the Union—the International Union, Local Unions and District Councils alike—would enhance our Union's solidarity.

Moreover, the plan merger makes sense in light of the recent enactment by Congress of the so-called "Pension Protection Act". This new law will greatly accelerate and complicate the funding requirements for "single employer pension plans", including "multiple employer pension plans" which the law treats as single employer plans. The Local Union and District Council Pension Fund is treated as a single employer pension plan, and will be unnecessarily subjected to the faster, volatile funding rules of the new law. A merger with the Staff Pension Plan would help to convert the Local Union and District Council Pension Fund into a "multiemployer pension plan" under the new law, and thereby qualify for the more stable funding rules that apply to multiemployer plans.

As the sponsor of both pension plans, the International Union is legally entitled to merge the LIUNA Staff Pension Plan into the LIUNA Local Union and District Council Pension Fund provided that the merger does not result in a reduction in earned benefits under either plan. It would be in the best interest of the Union, its employees, and its members to merge the two pension plans.

The merger could be implemented to provide participants in the Staff Pension Plan and in the Local Union and District Council Pension Fund with the best benefit provisions from each plan as the funding requirements allow. Most of these improvements would substantially benefit participants in the Local Union and District Council Pension Fund. For example, the more favorable "high 3" final average salary formula of the Staff Pension Plan could be extended to participants in the Local Union and District Council Pension Fund. Other substantial improvements would be made to the early retirement pension, disability pension, the pre-retirement survivor's **benefit, and the** benefits for unmarried participants.

According to the Fund's actuaries, these improvements will significantly increase the cost of the Local Union and District Council Pension Fund because of the large number of participants who will benefit from the improvements. At present, the actual cost of the Local Union and District Council Pension Fund exceeds 15% of salary, even though the contribution rate is only 14%.

To soundly fund the cost of the Fund's existing benefit program and to pay for the benefit improvements associated with the merger of the Staff Pension Plan into the Local Union and District Council Pension Fund, an increase of at least 3% of salary in the contribution rate of the Local Union and District Council Pension Fund is needed now, accordingly to the Fund's actuaries. The contribution rate had been 17% in years past.

***Therefore, Be It Resolved,***

That the LIUNA Staff Pension Plan shall be merged into the LIUNA Local Union and District Council Pension Fund as soon as such a merger can be reasonably arranged by the General Executive Board, and that the effective date of the merger shall be set by the General Executive Board;

That the General Executive Board be authorized to take all necessary or appropriate action to implement the merger;

That no accrued benefits earned under the LIUNA Staff Pension Plan and the LIUNA Local Union and District Council Pension Fund before the merger shall be reduced because of the merger;

That the benefit structures of the two plans will be integrated in due course to produce a single benefit structure that reflects the best of both plans to the fullest extent deemed possible and appropriate by the Board of Trustees of the LIUNA Local Union and District Council Pension Fund;

That Article XIV, Section 1 of the International Union Constitution is hereby amended by deleting the phrase "an International Union Pension or Retirement Fund..." inasmuch as the LIUNA Staff Pension Plan will cease to exist after the merger; and

That Article XIV, Section 4 of the International Union Constitution is hereby amended by inserting the phrase "and employees of the International Union" between the words "America," and "which shall" to clarify that International Union employees will be covered by the LIUNA Local Union and District Council Pension Fund as a result of the merger; and

That Article XV, Section 1 of the International Union Constitution is hereby amended by deleting the final three sentences of the Section; and

That the Agreement and Declaration of Trust of the LIUNA Staff Pension Plan is hereby amended by adding the following Article XI thereto:

**"Article XI**

**"MERGER**

"In accordance with the Resolution of the 23rd Convention of the Laborers' International Union of North America, and notwithstanding any provision of this Agreement to the contrary, the LIUNA Staff Pension Plan shall be merged into the LIUNA Local Union and District Council Pension Fund. Such merger shall be effective as of the date set by the General Executive Board. Each participant in the LIUNA Staff Pension Plan shall be entitled to a benefit immediately after the merger which is equal to or greater than the benefit he would have been entitled

to receive immediately before the merger, on a termination basis, as required by Sections 401(a)(12) and 414(l) of the Internal Revenue Code, by Section 208 of the Employee Retirement Income Security Act, and by regulations thereunder.”

That the Agreement and Declaration of Trust of the LIUNA Local Union and District Council Pension Fund is amended by adding the following language at the end of Article I, Section 6:

“as well as all relevant Resolutions adopted at all subsequent Conventions of the Laborers’ International Union of North America.”,

and further amended by adding the following language at the end of Article I, Section 11:

“This definition shall be deemed amended by Resolutions of all Conventions of the Laborers’ International Union of North America amending the Union’s Constitution regarding ‘full-time’ adopted after 1986.”,

and further amended by adding the following Section 3 to Article II:

“Section 3. INTERNATIONAL UNION. The International Union shall be entitled to participate in the Fund on behalf of its employees on the same basis as a Local Union or District Council. This Agreement shall be interpreted and applied accordingly.”,

and further amended by adding the following Article XII:

**“Article XII**

**“MERGER**

“In accordance with the Resolution of the 23rd Convention of the Laborers’ International Union of North America, and notwithstanding any provision of this Agreement to the contrary, the LIUNA Staff Pension Plan shall be merged into the LIUNA Local Union and District Council Pension Fund. Such merger shall be effective as of the date set by the General Executive Board. Each participant in the LIUNA Staff Pension Plan and in the LIUNA Local Union and District Council Pension Fund shall be entitled to a benefit immediately after the merger which is equal to or greater than the benefit he would have been entitled to receive immediately before the merger, on a termination basis, as required by Sections 401(a)(12) and 414(l) of the Internal Revenue Code, by Section 208 of the Employee Retirement Income Security Act, and by regulations thereunder.”

That Article XVIII, Section 9(a) of the International Union Constitution is hereby amended to substitute the words “Effective January 1, 2007” for the words “Effective January 1, 2002” at the beginning of the first paragraph of that section and to substitute “seventeen percent (17%)” for the words “fourteen percent (14%)” in the body of that sentence;

That Article IV, Section 3-D(8) of the Uniform Local Union Constitution is hereby amended to substitute the words “Effective January 1, 2007” for the words “Effective January 1, 2002” at the beginning of the first paragraph of that section and to substitute “seventeen percent (17%)” for the words “fourteen percent (14%)” in the body of that sentence; and

That Article VII, Section 3(k) of the Uniform District Council Constitution is hereby amended to substitute the words “Effective January 1, 2007” for the words “Effective January 1, 2002” at the beginning of the first paragraph of that section and to substitute “seventeen percent (17%)” for the words “fourteen percent (14%)” in the body of that sentence.

## **RESOLUTION 4**

### **Jurisdiction**

### **(Committee on Organization and the Future)**

Jurisdiction remains a vital concern. Its vigilant protection provides members with both current work opportunities and establishes a career path within the Laborers' craft. Jurisdiction assumes an even more critical role in construction because jobsite work is shared with other craft unions.

The National Building and Construction Trades Department has failed to preserve fairly and reasonably the jurisdictional boundaries between craft unions, one of the principal reasons for our disaffiliation. The Plan for the Settlement of Jurisdictional Disputes in the Construction Industry retains outmoded decisional criteria notwithstanding efforts by this organization and others to reform those standards so that they might have greater relevance to the industry's current needs and structure. Chief among the problems caused by the Plan, as applied to project labor agreements negotiated by the Department and its affiliated Councils, it encourages craft unions to assert jurisdiction over work that the craft has not pursued in a particular area for many years.

This organization has a particular concern for concrete finishing. Over wide geographic areas, Laborers have for many years exercised jurisdiction over this work, especially in areas where it has been abandoned by other crafts. The failure of these crafts to diligently police this jurisdiction has placed Laborers at risk for other phases of concrete work. It has been and remains necessary that Laborers protect its jurisdiction over concrete work by ensuring that concrete finishing is performed on an organized basis.

For far too long craft unions have ignored a component of construction that has grown to comprise over half of the industry, residential construction. There are a number of reasons why residential construction has been allowed to languish. It has historically used smaller crews, making it difficult to organize and police. Many of the contractors in the field operate on a smaller scale than those in the heavy and highway, commercial and industrial sectors. When higher paid work has been available in other sectors, it has been all too tempting to ignore residential construction. But, because those who work in residential construction, both as construction workers and contractors, go on to perform other and more complicated construction projects, experience has proven that we cannot continue to ignore residential construction and expect to regain a highly organized construction market. Because residential construction has remained outside work of traditional craft unions, traditional craft lines have less currency.

Jurisdiction is not static but changes, often quite rapidly, in response to a constantly evolving industry, which sees an unending stream of new technologies and external market forces. These new markets also offer significant opportunities for LIUNA to build market share, expand jurisdiction, and organize new members and contractors.

#### ***Therefore, Be It Resolved:***

That LIUNA will continue to police its jurisdiction actively with due regard to the reliance that members place upon these efforts to preserve the quantity and range of their employment opportunities and will seek to expand that jurisdiction where appropriate to the changing circumstances of today.

## **RESOLUTION 5**

### **Public, Healthcare and Federal Sector Workers (Committee on Organization and the Future)**

Employees in the Public, Healthcare and Federal Sectors have been an integral part of Laborers' jurisdiction since the first public employee Local Union charter was issued in the City of Minneapolis in 1920. Approximately 20% of the active members of LIUNA are now in the Public, Healthcare and Federal sectors. Over the years, there have been many occasions in which public, healthcare and federal employees have been advantaged by being affiliated with a predominately construction union and, as often, construction employees have made effective use of their relationship with various public, healthcare and federal sector brothers and sisters. Obviously, there are also differences in the interests and needs of these employee groups. To ensure that the special needs and circumstances of public, healthcare and federal sector employees are appropriately addressed, LIUNA affiliated the Mail Handlers Union in 1968 and created the Public Employee Department in 1996. The vitality of the Mail Handlers' and the Department's programs attests to the effective and conscientious representation afforded LIUNA public, healthcare and federal sector employees.

One of the significant resources developed specifically for the needs of public, healthcare and federal sector employees has been the three-level training program, supplemented by specialty courses, provided through the PED Academy. The Academy provides Level I Leadership Development to introduce officers and agents to a comprehensive overview of organizing, representation, leadership, political resources and programs; Level II Representation Practice to develop work site representation skills and expertise and Level III, Local Union Management and Administration to provide instruction in Local Union constitutional obligations and practices and to encourage Local Union management through strategic planning and development.

***Therefore, Be It Resolved:***

That LIUNA will continue to grow and develop the Public, Healthcare and Federal sectors and to work independently and in alliance with other organizations to defend and protect LIUNA's Public, Healthcare and Federal jurisdictions; and

That all Public, Healthcare and Federal/Provincial Local Unions and District Councils are encouraged to take advantage of the educational opportunity provided by the PED Academy by having officers and representatives attend courses as appropriate.

## **RESOLUTION 6**

### **Minority Advancement**

### **(Committee on Organization and the Future)**

The Laborers' International Union of North America is proud of its history as an organization in which immigrants from all continents, minorities and women have found a welcomed home. That tradition continues to be a vital part of the organization's identity and to be an important expression of its values.

Within LIUNA those values are promoted by an organizational structure that includes the Minority Affairs Department and the African American, Hispanic and Women Caucuses, which were established in 2002. These bodies have missions to fulfill both within the union and outside. Within the union they work, with the support of the International Union, to provide a forum where leaders of minority and women's groups can exchange information and ideas of particular concern to members within their respective groups, to furnish those leaders with support for their own development as union leaders and to provide a voice for women and minority group members.

The Union continues its outreach to minority communities through work at the legislative and political level. The Union's Legislative Department and LPL represent our diverse membership in the halls of Congress by working with congressional minority caucuses. In supporting these caucuses, we contribute to the national dialogue on the advancement of minority communities with other minority advocacy organizations.

LIUNA shares organized labor's commitment to developing a leadership that reflects the diversity of our membership in gender, color and ethnicity. In pursuit of that objective we open our recruitment and training programs for new officers to women, and people of every color and ethnicity.

But the larger purpose of our minority advancement program and each of the Caucuses is to contribute to our ability to reach members of those groups outside the union. As we seek to organize the sectors in which we represent workers, many of those to whom we reach out are women or members of minority groups. We look to the Department and the Caucuses both to craft and deliver our message more effectively.

In carrying out this program we work with constituency groups such as Asian Pacific American Labor Alliance (APALA), A. Philip Randolph Institute (APRI), Coalition of Black Trade Unionists (CBTU), Coalition of Labor Union Women (CLUW), Labor Council for Latin American Advancement (LCLAA) and other existing labor organizations that promote rights for minorities, women and immigrant workers. In addition, we have formed close alliances with a number of community or activists groups dedicated to the cause of advancing the interests of women, minorities or other identifiable groups that we seek to organize.

#### ***Therefore, Be It Resolved:***

That the International Union will work as appropriate with the African American, Hispanic and Women Caucuses, and outside constituency and community groups to promote minority advancement within the United States and Canada, to promote the lines of communication among women and minority members within our union on issues of common concern to them, to recruit and train leaders of every gender, color and ethnicity, and to strengthen our organizing efforts.

That we commit the International Union to reflecting our diversity in all aspects and at all levels of our union's life—in membership participation, elected leadership, staff and training opportunities.

## **RESOLUTION 7**

### **Education for Union Officers**

#### **(Committee on Organization and the Future)**

Education is an ongoing and never ending process. Without continuing education our leadership at all levels would find itself significantly disadvantaged. It is therefore incumbent upon those who would serve this union that they commit themselves to an ongoing educational program. The International Union remains committed both to improving upon leadership and membership education programs already in place and to developing new programs to address additional needs.

The responsibility of educating LIUNA's leaders does not rest with any one department. The leading role is played by the Education Department, which contributes its own efforts and coordinates the efforts of several other departments. For example, LIUNA's Public Employee Department conducts a multi-level Public Employee Academy for public sector locals. The Organizing Department conducts intensive training classes for LIUNA's regional organizing staff. The office of the General Secretary-Treasurer convenes a special session for secretary-treasurers at LIUNA's Leadership Forum. Special training workshops are featured at regional conferences and District Council meetings.

The core leadership curriculum, offered in a variety of settings, has reached a broad spectrum of the Union's leadership, business managers, secretary-treasurers, assistant business managers, field representatives and organizers. LIUNA Leadership I classes, offered at the George Meany Center for many years, have been made available since in 2004 on a regional basis. As a result, more than 500 LIUNA leaders have completed this entry level program since the last Convention. More than 200 leaders have completed Leadership II, the next level in the LIUNA Education Program, which was initiated in 2002 and, beginning in 2006, was also presented in multiple locations for better access. Two new classes were launched in 2005. The LIUNA Leadership III class is a continued progression of education for all union leaders. Culminating this series, the Business Managers' Leadership Academy is a combination of six distinct classes, with additional courses to come, designed exclusively for business managers.

Innovation in LIUNA's leadership educational program will continue. LIUNA Leadership I, II and III, and the Business Managers' Leadership Academy will be offered at an increasingly wider array of venues, including the National Labor College or other central locations and in conjunction with local or regional conferences. The curriculum will be updated to reflect needs identified by our affiliate leadership, such as the already-identified need to focus more rigorously on Local Unions and District Councils budgeting. Existing educational publications are constantly being updated and new publications developed as appropriate.

***Therefore, Be It Resolved:***

That newly elected Local Union and District Council business managers and secretary-treasurers shall take an initial business managers and secretary-treasurers's course within their first term of office and at least one additional course every three years thereafter;

## **LIUNA: GEB RESOLUTIONS**

That the International Union continue to provide educational opportunities for Business Managers and other elected officers and staff through the existing LIUNA Leadership Education Program. Further, that new programs and workshops be added to expand these opportunities where there is a need, including a classroom-based, hands-on education program for newly-elected Secretary-Treasurers;

That the International Union explore ways to supplement the traditional classroom setting with interactive programs that can be accessed through the LIUNA private site website and/or in CD-rom format and with various publications and videos, including the LIUNA's Leadership Manual and the Secretary-Treasurers Manual; and

That the International Union continue to work with the National Labor College and other institutions of higher learning, as well as the United Association of Labor Educators, to assist LIUNA members and leaders in obtaining a college degree.

## **RESOLUTION 8**

### **Technology**

### **(Committee on Organization and the Future)**

We live in the midst of a technological revolution that has accounted for incredible gains in productivity, much of it the result of nearly instantaneous communication and the ready access to information. LIUNA has availed itself of these advantages in many ways. Yet, we have barely scratched the surface of the technological innovations available to us. The next five years promise to be exciting as we, at all levels of our union, better exploit the capacity now available to us.

To this end, the IT Department will begin the process of transforming its current data processing platform into a state-of-the-art system based on the newest and most powerful software and hardware available. This effort will provide our users with a more robust computing environment capable of being accessed from anywhere in the world. The interface will be more intuitive and informative with graphical representations that allow the user to evaluate trends and spot problems at a glance. Per Capita Tax data and membership information will be transferred electronically with updated information viewable in a web-based system that is linked directly to the headquarters files.

These improvements will be available at all levels of our union, not just headquarters operations. Local Unions and District Councils will have an instantaneous and equal capacity to access this increased technology from their Local Union office, wherever they may be located, or even while traveling.

For example, documents that are critical to our ability to protect jurisdictional rights, win new contracts, and expand our influence in the workplace will be available to those who need them through the use of document imaging. Digitizing our information will mean that our Records and Membership departments will be able to respond to requests more quickly and accurately. They will be able to forward information to the requestor in an electronic form so they can verify the information given to them. We will expand the use of this technology to include contract agreements and legal documents as well as Regional, District Council, and Local Union Membership information. Our goal will be to move to a paperless environment — for Local Unions and District Councils, as well as the International Union — to the greatest extent possible. We will make sure our documents are available to those who need them twenty-four hours a day, seven days a week, and 365 days a year.

While these are long term tasks our users should begin to see improvements in the next year and a gradual transformation to new systems over the next five years. There are a number of other aspects of technological change that should appear even sooner.

The use of email has become a pervasive form of personal communication. Increasingly, it becomes the preferred medium of communication for LIUNA members, nearly 60 percent of whom already have email access. We must further exploit the potential of this communication tool. Although membership in the Laborers Action Network email list has grown to approximately 65,000, this is only a small percentage of those who could be enrolled. We should collect the email addresses of existing and new members whenever possible, thereby creating a pool of hundreds of thousands of potential activists. For example, on our monthly per capita reporting forms we should add a data field for email addresses of all members.

Video conferencing has passed from being mere futuristic whimsy to currently available technology.

Since the last Convention, LIUNA has made substantial advancements in using internet technology to communicate with members, union leaders and the public. Our website includes information about important union developments, schedules of classes and events, e-newsletters, links to other related public data bases, and access to publications and resources. Members can enroll as E-activists on line with the Laborers Action Network and register to vote on line. Our private site provides many of LIUNA's educational manuals. Officers can use this site to check membership status questions and to access national agreements and jurisdictional dispute materials. We will use this same technology to make our Leadership Education Program available to an even broader audience of union officers in a way that is convenient to the pressing demands of the union lives.

There are still other areas in which the possibility exists for major new uses of technology. The resolution on organizing calls for a national contractor database. That will surely prove invaluable. But, we live in an age in which the collection of information on a vast scale is entirely feasible. We have long considered the possibility of maintaining a database of the investments of our local pension funds. Such information is the cornerstone of an effective corporate affairs program. The sources of our data—including membership information, health and welfare funds, pension funds, training, health and safety, marketing and organizing funds—is impressive, even overwhelming. We recognize, however, that the collection and maintenance of this data raises larger issues concerning privacy and local affiliate autonomy. Accordingly, while we will continue to study these possibilities, we will proceed with appropriate deference to the competing values raised in such proposals.

***Therefore, Be It Resolved:***

That we continue to avail ourselves of the advantages of the technological revolution. Among other initiatives, we will systematically collect the email addresses of existing and new members whenever possible, including as a regular aspect of our monthly per capita reports. We will explore the use of video conferencing. Our web sites will be continuously updated and expanded to make timely information available to affiliates and members alike; and

That affiliates will submit monthly membership accounting reports and per capita tax payments to the International Union electronically at such time and in such form and manner as the International Union may direct.

## **RESOLUTION 9**

### **Membership Communication**

#### **(Committee on Organization and the Future)**

Union members want and deserve information about their union, including information about its functions, positions on important issues and how their union helps members and all workers achieve better lives. Communication and information tools are the first step to persuading and moving members toward activism. Sharing the successes and dreams that are realized by joining the Laborers' Union helps reaffirm the value of our union and helps to build a stronger union.

Independent polling and other research about the membership of the Laborers' International Union shows that, although many of our affiliates do a commendable job in providing timely information to the membership, the majority of members receive inadequate non-election year communication from their local unions, and do not have enough knowledge of their union's position on important issues, of how their union helps improve lives or of other important information about their union. Independent polling and other research also shows members would be persuaded by information that comes from their union.

***Therefore, Be It Resolved:***

That in order to strengthen ties with members, inform members and move members toward activism, the International Union will provide Local Unions and District Councils with communication resources, including website templates, newsletter templates, automatic phone dialing technology, email list building assistance and overall communication assistance and expertise, and every Local Union and District Council shall institute regular and effective communication with its membership using these communication methods.

## **RESOLUTION 10 Retiree Councils (Committee on Organization and the Future)**

Delegates to the 20<sup>th</sup> Convention of the Laborers' International Union of North America went on record in support of action taken by the General Executive Board and committed Local Unions and District Councils to establish and support retiree councils. Fulfilling the promise of that initiative, retiree councils are making an invaluable contribution to the Laborers' International Union of North America, particularly in mobilizing retirees and others to support the legislative and political objectives of our Union and all working people. With the Laborers' International Union of North America's focus on increasing market share and recruiting new members, Local Unions and District Councils will benefit principally from retiree's insight and knowledge of our Union's history and tradition.

***Therefore Be it Resolved,***

That the delegates to the 23<sup>rd</sup> Convention of the Laborers' International Union of North America will expand their efforts to establish and support retiree councils in their respective jurisdictions, and that the Laborers' International Union of North American will help coordinate these efforts.

## **RESOLUTION 11**

### **Mergers and Amalgamations**

#### **(Committee on Organization and the Future)**

It has long been the goal of LIUNA and of the labor movement to consolidate related work and jurisdiction into fewer but more effective labor unions. The advantages to be secured by well conceived consolidation are many. The cost of continuing with a historically outmoded array of smaller craft unions is significant.

Consolidation provides a career path for workers. By pulling together related craft work, those who have chosen to pursue a career in the construction industry are far more likely to be able to stay within a single organization throughout their working lives. Training can be designed on a more comprehensive and integrated basis. Representation by a single organization is more likely to harmonize the terms and conditions of employment for those performing related work and to provide a more rational scale of compensation. Consolidation creates opportunities for selecting from a variety of specialties. The need to transfer from one labor organization to another burdens the careers of many in the construction industry and discourages others from exploring new opportunities that would be to their benefit.

Consolidation holds out the promise of more effective representation. Regrettably but undeniably, to an alarming degree union density has declined in recent decades. All parts of North America are affected although this troubling trend has been more pronounced in some areas and for some crafts than others. The fact is that in some geographic areas a number of craft unions lack any significant presence. Consolidation would permit additional organizing efforts, both top-down and bottom-up, that would have a reasonable prospect for providing union workers with additional employment opportunities.

The fragmentation of craft unions presents contractors with an excuse for opposing a unionized workforce. The need to deal with multiple unions brings additional costs to contractors. Jurisdictional disputes are increased. Contractors are put to the burden of negotiating and administering multiple collective bargaining agreements. Working conditions may vary by craft thereby leading some workers to believe they are less fairly treated than others. Each of these issues provides contractors with an incentive to avoid craft unions, an incentive that needlessly impairs the opportunity of improving the working conditions of employees.

Although the desirability of significant consolidation of craft unions is hard to deny, history has proven time and again that for many organizations it is difficult to entertain the loss of their historic identity as separate entities. There is an unhealthy belief that merger or consolidation implies that an organization has “lost,” that merger is something to be considered only when all other alternatives have failed.

***Therefore, Be It Resolved:***

That the Laborers’ International Union of North America explore with those organizations representing workers having a common or related jurisdiction whether their merger or consolidation with LIUNA might better serve the interests of both memberships.

## **RESOLUTION 12**

### **Organizing**

### **(Committee on Organizing and Capital Strategies)**

Organizing is the first priority of the Laborers' International Union of North America. What we said at the last convention is worth repeating. Organizing is a "[s]olemn obligation borne by the Union to come to the aid of the unorganized and, equally, is indispensable for the protection of the wages, fringe benefits and working conditions of those already organized." Organizing is not an objective we can pursue or ignore at our option. We can represent our membership effectively only if we have the bargaining leverage that comes with market density.

The 2001 Convention did far more than pay lip service to organizing. Delegates decided that organizing should be a topic on the agenda at each regular local union meeting, and that all officers and members should receive VOICE training. By convention action, we committed the resources necessary to give effect to this resolution by deciding to have approximately the same number of organizers as local unions. We now have more than 200 organizers, admittedly less than the number of our affiliates but far more than we had prior to the 2001 Convention. We have explored innovative approaches, including job targeting programs. We concluded that we should look to regional organizing funds for the coordination of organizing programs throughout each region. Impressive as this commitment was, it has succeeded only in marginally increasing our construction membership.

Experience is the best teacher and we have learned much. First and foremost, we have learned that organizing must be strategic. We squander valuable time and resources if we organize hot prospects at first one site and then another without giving thought to how those targets fit into the larger organizing program. We learned from our multi-craft, nationwide campaign in the pipeline industry that this objective can be accomplished only by organizing an entire labor market, not by the isolated signing of a contractor here and a project there. Contractors must be organized for all work performed, not on a project-only basis or in a limited geographic area. These lessons have led us to appreciate the need to think on a larger scale. In many cases, an effective organizing campaign must be regional, multi-regional or even national in scope.

The need to engage in comprehensive, strategic organizing campaigns dictates our organizing structure. We pursue organizing through a partnership of our regional organizing funds and the International Union's regional offices and organizing department. Key to strategic organizing is research. If we are to move from the ad hoc organizing of a single project or contractor to organizing entire markets, we need to choose geographic areas and targets with precision. We must better understand the relationship between the corporate identity and structure of employers we seek to organize in one area and related entities that we may know elsewhere. It is critical that we understand the myriad of relationships—the financial backing, the suppliers and developers—of those whose presence is essential to the work of contractors we seek to organize. We need to understand with even greater particularity the demographics of the workforce we seek to organize. For this reason, the International Union has put together a staff of strategic researchers to assist our regional organizing funds. Using those researchers, our regional offices and organizing department are able to coordinate with regional organizing funds in the design of specific organizing campaigns.

One critical informational tool is currently unavailable to us even though it is entirely within our own control. As we face a contractor in one area, it would be valuable to know where and to what agreements that contractor was signatory in other jurisdictions. Sadly, there is simply no way that we can answer that question today. To address this situation, we shall create a national contractor database, listing the agreements to which each contractor

is signatory with any of our affiliates. Such a resource will prove to be an immediate asset not only to our organizers in their strategic thinking but to every affiliate.

The best research in the world cannot succeed in organizing without roots in the community. Our regional organizing funds work with local affiliates both to deepen our understanding of the organizing potential of particular situations and to carry out a coordinated organizing campaign against particular targets. These local strengths must be combined with the more specialized assets we maintain nationally in the design and implementation of organizing campaigns. Furthermore, critical to our organizing program is the coordinated use of top-down techniques working in conjunction with more traditional bottom-up organizing. Our top-down approach relies upon the relationships that the Construction Department and LECET, as well as local affiliates, maintain with the contractor community.

We recognize the size and complexity of this undertaking. We can succeed only with the full involvement and dedicated efforts of all levels of the Union and, further, only with the commitment of the resources required. It is, therefore, critical to the success of these regional organizing programs that all Local Union and District Council affiliates participate in the regional organizing fund in their area.

At the 2001 Convention, we committed to increasing our market share 20% in every market in which we represent working men and women. What might have seemed too ambitious or even foolhardy was undertaken out of necessity. Over the last five years we made that objective our compass. We succeeded spectacularly, increasing our market share, not by 20%, but by 30%. Now, we must dedicate ourselves to duplicating that effort over the next five years if we are to avoid further erosion in our bargaining leverage in low market areas and to increase our bargaining leverage in mid and high market areas. The task will be even more challenging because we have already made the easy gains. But, we can achieve this objective if we approach our organizing more strategically.

Strategic, large-scale organizing is expensive. While we are already expending significant monies on organizing, we must be prepared to do still more. The \$35 million we are currently spending on organizing translates into approximately \$.09 per hour for all hours worked in construction. But the challenge is far larger. It will be difficult to strengthen and grow our union without significantly increasing our organizing expenditures. We have determined that we should adopt an assessment of \$.25 per hour, which will produce \$100 million annually, to be paid to regional organizing funds, which assessment is to be phased in over the next three years for all hours worked in construction. For regional organizing funds that cover sectors outside construction, the \$.25 per hour should be made by the affected non-construction local unions as well.

In addition to coordinating with and supporting regional organizing funds, the International Union has other organizing responsibilities. The International Union's Organizing Department offers three-day VOICE training and 10-day organizing classes for regional organizing fund organizers. In many areas local affiliates do not have sufficient market leverage to conduct effective organizing campaigns, even with the assistance of regional organizing funds. The International Union has a special responsibility to undertake various forms of innovative and experimental organizing programs, often in conjunction with other basic trades, to organize in these areas. The International Union will explore and develop organizing programs for residential construction, which comprises almost 60% of the construction market by dollar volume.

***Therefore, Be It Resolved:***

That we will renew our commitment to organizing by undertaking, as we did at the 2001 Convention, to increase our market share by 20% in every sector of every industry and geographic area in which we represent workers.

## LIUNA: GEB RESOLUTIONS

That every Local Union having jurisdiction in the construction industry shall pay \$.25 per hour, to be phased in over three years, to its regional organizing fund for all hours worked by its members in construction;

That a non-construction Local Union shall also pay \$.25 per hour, to be phased in over three years, to its regional organizing fund for all hours worked by its members in those cases in which the regional organizing fund's organizing activities extends to the jurisdiction of the Local Union;

That every District Council and Local Union affiliate cooperate in the creation and ongoing maintenance of a national contractor database by providing information to the International Union regarding each contractor with which it is signatory in such form and detail and with such frequency as the General President shall direct;

That the International Union's organizing goals shall be to increase the union's membership by conducting innovative, strategic and aggressive campaigns; to increase the union's market density in all sectors of the construction industry, including residential construction; and to target the regional, multi-regional, and national employers responsible for setting industry-wide standards.

That ULUC, Art. II, § 3(c), be amended to provide:

- (c) Local Unions within the territorial and trade jurisdiction of a District Council shall affiliate with such District Council and shall also affiliate with appropriate Bodies, such as National Construction Alliance Councils, Building and Construction Trades Councils, Metal Trades Councils, Maritime Trades Councils, State Federations of Labor and Central Bodies. In the event that a Local Union is not affiliated with a District Council, then such Local Union shall affiliate with any Regional Organizing Fund that has been established and is operating within its territorial jurisdiction.

That UDCC, Art. III, § 1, be amended to provide:

The District Council shall carry out, perform and comply with all of the objects and powers as outlined in Article II of this Constitution and the objects of the International Union. This obligation shall include, but not be limited to, the exercise of the District Council's authority to bargain on behalf of its affiliated Local Unions. Each District Council shall affiliate with any Regional Organizing Fund that has been established and is operating within its territorial jurisdiction.

## **RESOLUTION 13**

### **Capital Strategies and the Defense of LIUNA Fund Assets**

#### **(Committee on Organizing and Capital Strategies)**

There are over 100 pension funds sponsored by the International Union and its affiliated Local Unions and District Councils in the United States and Canada. Collectively, these funds hold over \$30 billion in assets to provide retirement benefits for hundreds of thousands of members, employees and their families. Laborers' pension funds are therefore long-term investors whose success is measured over decades and lifetimes, not in quarterly returns.

Our foremost objective is to ensure that our pension funds achieve the greatest rate of return possible consistent with the need to invest safely and responsibly. This principle leads, in turn, to a number of initiatives. At the most basic level, we seek to identify and select the most competent investment managers and service providers at the best rates. The cost of administration of our funds should be no greater than necessary. We explore the use of investment vehicles that provide opportunities for diversification and lower fees. To achieve these ends we must engage our investment managers, consultants, attorneys and other service providers in frank discussions and hold them accountable.

As long-term investors, our funds have no choice but to become "active owners," understanding that protecting our investments demands that we closely scrutinize the practices of the corporations in which we invest. Our funds must insist upon good governance from those corporations. There must be reform of our capital markets to increase their efficiency and transparency. The International Union's Department of Corporate Affairs continues to develop "best practice" policy recommendations available to all LIUNA funds and their trustees. Laborers' pension trustees should review the International Union's recommendations, and should, in an informed manner, hold service providers accountable to the best practices in their industry, including our support for responsible contractor policies, and advocate that fund service providers promote these best practices.

Among potential investments offering equal rates of return and safety, it is incumbent upon our funds and their investment advisors and managers to seek out those investments that offer the collateral benefit of creating good union jobs. To ignore the health of the continuing income stream into our funds is to sacrifice an important interest of plan participants. Accordingly, Laborers' pension funds should demand of their investment managers that they explore the use of investment programs or funds that promote "double bottom line" or "collateral" benefits such as the creation of union jobs.

The International Union, through the Department of Corporate Affairs established in 2004, assists plan trustees in carrying out these objectives. There are altogether too many examples of corporations renegeing on their pension promises to workers through the expediency of bankruptcy, which not only deprives workers of the bankrupt employer of well-earned pensions but shifts significant pension burdens to other single-employer and multi-employer funds. The International Union, through its legislative and corporate affairs departments, is combating this abuse. We are concerned as well with protection of Social Security and Old-Age Security against proposed privatization and other so-called reform. The Corporate Affairs Department provides educational materials and training opportunities for trustees.

As part of this program, the Department is creating a menu of "best practices" for trustees, including programs to promote the active management of fund assets and the engagement of consultants and investment managers of the highest caliber who understand that their role must include a sensitivity to the needs of Laborers' funds to focus on long-term investment issues. A key best practice for Laborers' funds shall be the use of a proxy

voting service that will advocate for corporate decision-making that reflects the values and concerns of Laborers' and other Taft-Hartley funds. For too long our voice has gone unheard because we were silent shareholders. The result has been that corporate America has felt free to routinely take positions at odds with our funds' interests even where pension funds representing organized workers were, viewed in the aggregate, a significant percentage of the ownership. Proxy voting services do more than propose and vote appropriately on resolutions appearing in annual shareholder meetings. They also engage in an ongoing review of the corporate governance and labor practices of the corporations in which our funds invest. Combined with the voice of other pension fund representatives, we can, and should, have a significant impact on corporate decision-making through the use of proxy voting services.

In addition, we will attempt to harness the collective strength of our pension holdings. We will undertake to form a partnership with pension funds sponsored by affiliates because there is much that can be done when Laborers' funds act collectively that cannot be achieved individually. If we are able to draw together those who represent local funds and to gain a far better understanding of our collective investment holdings, we will be able to speak more authoritatively when we demand good corporate governance and responsible corporate policy. We will be better positioned to negotiate advantageous rates with service providers and investment managers. We will explore the possibility of creating new pooled investment options, such as index funds, and real estate equity and private equity funds.

A critical component of this partnership is the establishment of a national database compiling the investment holdings of our pension funds. The collection of this information in a central data bank will further the interests of our funds by permitting the identification of opportunities for collective action, the development of comprehensive strategies and coordination among funds. By maintaining the data bank and by updating it regularly, we will be able to move with the quickness often required for effective action in the financial and corporate worlds.

***Therefore, Be It Resolved:***

That we call upon trustees of Laborers' affiliated pension funds to undertake programs of active oversight, commencing with the demand that fund investment advisers and managers provide services to Laborers' funds at the lowest available rates;

That the International Union establish for the support of Laborers' pension fund trustees a Capital Stewardship Program, which shall include a "Trustee Leadership Training and Support Program," and develop a menu of and materials on "best practices," including the identification of otherwise appropriate investment managers who support active ownership principles such as responsible contractor policies and the use of investment programs or funds that promote "double bottom line" or "collateral" benefits such as the creation of union jobs;

That a special emphasis of our Capital Stewardship Program shall be the use of proxy voting services to ensure that our voice as shareholders does not go unheard;

That the International Union advance the interests of Laborers' pension funds on the significant legislative and policy issues affecting our funds, including ERISA issues, bankruptcy principles, and Social Security and Old-Age Security proposals; and

That affiliates ask each pension fund they sponsor to direct the fund's custodial bank and its proxy voting service to forward a statement of the fund's investment holdings on a quarterly basis to the International Union and to direct the fund's administrator to forward to the International Union semiannually a list of the fund's investment consultants, investment managers, custodians and proxy voting services, with disclosure of total asset figures by asset class and by allocation to specific investment manager or investment product.

## **RESOLUTION 14**

### **International Affairs**

### **(Committee on Organizing and Capital Strategies)**

International affairs are critical to Laborers. What happens outside North America impacts our members. In the course of only a few decades, work performed by many large North American employers has been fragmented into small pieces that are parceled out to a myriad of subcontractors and then, particularly with respect to the pieces involved in production, sent offshore. While this impacted production and industrial sector workers in the first instance, it has a significant, if delayed, impact on those working in the construction industry. Not only will the next generation of manufacturing plants be built offshore, but the infrastructure—the public utilities and the transportation network needed to support those manufacturing operations—will be built there as well.

The massive transfer of work from North America to other continents is unlikely to be reversed in the foreseeable future. The economic incentives, the unconscionably depressed wage scales prevailing in areas receiving this transferred work, virtually guarantee that subcontracting practices will continue and even accelerate. We have entered into a worldwide race to the bottom for wages. Those same destructive competitive forces developed in North America in the early Twentieth Century and were brought under control only when workers organized into trade unions. Likewise, a strong global labor movement is necessary if we are to see relief from the current destructive wage competition.

This phenomenon is not the product of normal economic development but has been an injury inflicted upon American workers by an Administration committed to the interests of those who control production, the wealthy. It is a process that has been accelerated by ill-considered trade agreements, the North American Free Trade Agreement (NAFTA) and the Central American Free Trade Agreement (CAFTA), adopted without even minimal labor protections. Congress has sacrificed hard won wage and labor standards on the altar of “free trade.” It has done so without asking that the countries receiving our work refrain from the most abusive of employment practices. Congress has thereby made common cause with those who deny workers a physically and environmentally safe jobsite, representation in the workplace, freedom from gross employment discrimination and other standards that North Americans take for granted. We must therefore be vigilant in monitoring the developments of negotiations of the next generation of trade agreements, including the proposed Free-Trade Area of the Americas (FTAA).

Our interest in international affairs is driven by other concerns as well. The Laborers’ International Union of North America has always been a union of immigrants. Those who are not themselves immigrants may be the sons and daughters of those who were. That will most assuredly continue to be the case as immigrants flow into the United States and Canada from Mexico, Central America, the Caribbean and elsewhere, and comprise an ever increasing percentage of the construction industry workforce. We cannot protect and effectively represent our incumbent membership unless we organize immigrant workers. Our intent is that the wages and working conditions of immigrant workers be raised to those we already represent, not that current standards be depressed to the levels now extended to immigrant workers. This organizing effort will require an increasing familiarity and contact with the immigrant community both here and in the countries from which they come.

Not only has work been transferred offshore, not only are there increasing numbers of North American workers immigrants from Central America and elsewhere, but with ever greater frequency North American employers are likely to be foreign owned or controlled. Of the ten largest construction companies, for example, three are

foreign owned (Turner, Bovis, Skanska). Virtually all of the aggregate industry is owned by European companies. We, therefore, must develop ties to the unions representing the workers of these employers and owners in their original home lands.

Accordingly, work on international affairs directly impacts our organizing program. Our contact with certain groups, particularly in Central America, will give us increased access to those who become construction workers when they later immigrate into the United States and Canada. Our contact with foreign labor organizations will enable us to address more effectively foreign corporations whose North American construction policies may tend to open shop construction, even though they would never consider that option in their home country, and foreign construction companies, whose labor policies may be less favorable to trade unions here than in their home country.

***Therefore, Be It Resolved:***

That LIUNA will support the efforts of workers throughout the world to organize with a particular concern that we reach out to those communities from which increasing numbers of immigrant workers will come to the United States and Canada and to those foreign labor organizations representing workers of employers who have become significant employers in North America.

## **RESOLUTION 15**

### **Legislative**

### **(Committee on Legislative and Political Action)**

The Laborers' International Union of North America has continued to work in the past four years with Members of the Congress and, when appropriate, the White House and federal agencies on legislative matters to protect Laborers and their families. While the political environment has been far from labor-friendly, we have enjoyed a surprising degree of success on our core issues.

Our legislative activities have included, first and foremost, communicating with Members of Congress and Federal Agencies concerning the impact of legislation affecting Laborers' apprenticeship programs, benefit and pension plans, safety and health issues, collective bargaining and project labor agreements, organizing activities and job growth in our industries. This activity has been bolstered through communications with our local Laborers members about these issues so that Laborers' voices can be heard at various levels of government as well as in the Congress.

The Laborers' Union has worked on and monitored bills in the following areas: (1) the protection of organizing activities and labor laws, (2) safety and health, (3) apprenticeship and training, (4) benefits and pensions, (5) responsible and fair contracting activities, (6) investment in and protection of federal infrastructure and the preservation of the prevailing wage application, (7) trade, (8) immigration, (9) minority advancement, and (10) other issues that directly impact the future and well being of LIUNA, our represented industries, our membership and their families.

At various meetings, including regional conferences and District Council meetings, we have encouraged Laborers to participate in the legislative process at all levels. At LIUNA Leadership classes, attendees at the legislative and political session are encouraged to reach out to their representatives regarding issues of common interest. Using the Laborers Action Network and the Get Active email distribution service, Laborers receive timely information about battles on Capitol Hill. Laborers are able to write, call, fax and email their Members of Congress, Governors and the White House to make our voice heard on important issues.

Through conferences, leadership classes, and use of the Laborers Action Network, Laborers are informed of the need to form relationships with their policy makers. The Laborers' voice on Capitol Hill is amplified by the quality of the Laborers relationships with Members of Congress in their home state.

***Therefore, Be It Resolved:***

That the Laborers will fight to make work pay, to ensure affordable healthcare and to protect guaranteed pension for all workers.

That moving forward, the Laborers' International Union of North America will continue to support legislation that protects the interests of our members and defends our benefits, wages and working conditions. The Laborers will fight any attempt by a hostile Congress, Administration or Parliament to undermine these basic protections. The Laborers will work in bipartisan ways with those who are willing to work with us on matters of common interest. The Laborers will take steps to encourage relationship-building between Local Union leaders and their representatives.

That Laborers will continue to fight legislative battles at all levels on the following fronts:

That LIUNA will fight to protect the benefits guaranteed to working people by labor law statutes and fight attempts to repeal or roll back pieces of it, like the 40-hour work week, the right to overtime, the right to organize, and the right to workers' compensation. All attempts to undermine federal agencies and offices that are charged with oversight of these protections, such as the Office of Safety and Health, are unacceptable and will be opposed.

LIUNA will support strong measures to protect the health and safety of our members who are and have been exposed to occupational hazards on dangerous jobsites during their current and previous employment. LIUNA supports requirements mandating adequate protective equipment as well as medical monitoring where appropriate. LIUNA will advance legislation that promotes the goals of the Laborers safety and health programs, in partnership with LHSFNA, to maintain safe work sites. LIUNA will continue to seek just compensation for workers who suffer injury, and for those who have been victims of exposure to hazardous materials like asbestos.

LIUNA will oppose efforts to dismantle social security, unemployment insurance, defined benefit plans, union negotiated healthcare and retiree plans, and will support efforts at ensuring the continued availability of multi-employer and single employer pension plans.

LIUNA will work to support legislation that encourages and enhances contracting regulations that promote fair and responsible public works laws and oppose attempts to undermine public work standards. The contracting debacle that occurred in the aftermath of Hurricane Katrina in the Gulf States, clearly illustrated the necessity of transparency in government bid-letting, effective oversight of labor standards and orderly contracting procedures.

LIUNA will push for strong investment by the federal government and state governments in the building of the nation's infrastructure, including surface transportation, schools, safe and clean water facilities and will support proposals which continue prevailing wage coverage on future projects receiving federal assistance and on those projects using innovative financing mechanisms.

LIUNA will join with other Change To Win and AFL-CIO affiliate unions to fight unfair "Free Trade Acts" like CAFTA, and push for trade agreements that will not ship US industries and US jobs overseas, while forcing other countries to respect International Labor Organization standards and respecting basic worker rights in those countries.

LIUNA will continue to be part of the national fight for the protection of all workers' rights. Immigrant workers should be afforded the same workplace protections and rights as U.S. citizens. This includes the freedom to organize a union, the right to fair prevailing wages, payment of overtime, safety and health protections and access to full and fair worker's compensation. The future of our organization and industry cannot tolerate unscrupulous employers who would use immigrant workers as a second class, cheaper, expendable workforce. All workers and employers must operate on a level playing field. Immigrants must be able to start the application process to become a legal resident solely on their own without being dependent on employer to do it for them.

LIUNA will defend the civil rights of all working people, work to encourage opportunities for minorities and women to advance on the job and in their careers. LIUNA will oppose strenuously any attempts, directly or indirectly, to infringe on the voting rights of minority communities. LIUNA will continue to support minority advancement goals with other national advocacy groups to promote fair and equal treatment of all peoples.

LIUNA will continue to support legislation to help in the rebuilding of communities in the Gulf States after Hurricane Katrina. LIUNA will work to support recovery efforts of local and minority owned businesses, and to defend the rights of these disadvantaged workers, and their families to fair wages, safe worksites, and other federal and state labor protections.

LIUNA's public employees stand ready to lead in the fight for strong patient safety and care. Our priority is the need to improve the nation's health care sector overall and to support legislation that will benefit the work of healthcare providers, including established best practice standards for staffing levels and delivery systems, scope of practice and quality of care. LIUNA will advocate for passage of legislation that promotes these values.

LIUNA will promote the collective bargaining rights of public sector and healthcare employees.

That LIUNA and the National Postal Mail Handlers Union (NPMHU) vigorously support the current level of operations of the United States Postal Service (USPS), including its unionized workforce, and condemn efforts to privatize it or incrementally destroy its capabilities by parceling out its functions to competitors. Only the USPS—and none of its competitors—provides efficient and high quality postal services while guaranteeing universal service at affordable rates for the entire Nation.

That the NPMHU and LIUNA strive for Congressional passage of meaningful postal reform legislation that enhances the capabilities of the USPS. Reform should not be enacted at the expense of the hard-working men and women of the USPS. Fundamental to any reform is preserving the existing collective bargaining arrangement. For more than 30 years postal employees have bargained decent wages, benefits, retirement and on-the-job safety without any strikes or work-stoppages.

LIUNA will oppose the proposed National Security Personnel System (NSPS) regulations issued by the Department of Defense as it violates the rights of Federal employees to collectively bargain; to have effective and just due process in appealing disciplinary and adverse actions; to consider seniority in all forms of collective bargaining rights and pay issues. Further, it does not adequately protect the rights of veterans. The NSPS expresses the Bush Administration's desire to eliminate collective bargaining among Federal sector unions. LIUNA members are committed to the preservation for Department of Defense employees of the protections and rights they are currently entitled to under the laws, regulations and procedures set forth at 5 U.S.C. Chapter 71.

## **RESOLUTION 16**

### **Political Action**

### **(Committee on Legislative and Political Action)**

Delegates to successive conventions of the International Union have recognized that elections have direct and significant consequences for this organization, its members and their families. Over time, delegates have adopted resolutions to refine and advance the political program of the International Union. Most recently, at the 2001 Convention delegates amended the Uniform Local Union Constitution to add to the order of business at all regular meetings of local unions a seventh item, “political report.” Experience has shown that this reporting requirement needs to be bolstered by additional substantive elements to our political program in order to achieve maximum effectiveness and more universal political participation.

Federal, state and local laws and regulations increasingly promote the use of voluntary contributions in campaigns and elections. Many members actively contribute to LPL through voluntary check-off. In addition, even where check-off is unavailable, LPL receives voluntary contributions from individual Laborers that greatly increases our political power. We need to further support both political check-off and, where check-off is unavailable, voluntary contributions to LPL.

***Therefore, Be It Resolved:***

That every Local Union and District Council shall engage in political activities, including meeting regularly with elected officials, registering members and their families to vote, communicating with members on political issues that are important to Laborers’ and supporting candidates who will vigorously represent the interests of working men and women;

That each Local Union and District Council is encouraged to adopt an ongoing plan to implement voter registration and membership education, communication and mobilization. The plan should identify and quantify membership voter registration and membership voter participation to establish baseline targets of accountability. The plan should also quantify the number and types of voter contact with the membership including but not limited to the number of pieces of mail sent, phone calls made and in person jobsite or home contacts. Developing such a plan and measuring progress will increase our civic activism and make the Laborers an even greater political force.

That affiliates will continue to strive to negotiate voluntary check-off clauses to the Laborers’ Political League (LPL) in every collective bargaining agreement or as an alternative to establish voluntary check-off from vacation funds and that affiliates will diligently offer all eligible members an ongoing opportunity to participate in voluntary check-off and will regularly encourage them within the guidelines of federal law to contribute voluntarily and that all eligible members who are employed by LIUNA, its affiliates and funds will be encouraged to set an example by participating in a regular, voluntary check-off from their paychecks to the Laborers’ Political League Political Action Committee; and

That affiliates shall seek to maximize their ability to contribute to state and local officials and candidates for state and local offices by establishing political action committees compliant with by applicable law.

## **RESOLUTION 17**

### **Reciprocity**

### **(Committee on Welfare and Pension)**

It is increasingly common for members employed in the building and construction industry and other industries to work temporarily outside of their home jurisdictions or to change home Locals. To accommodate this trend in work practices, it is the sound policy of our Union to promote programs that protect the pension and health and welfare coverage of traveling members and their families while they are employed in work covered by our Union's collective bargaining agreements outside their home jurisdictions.

The International Union and various Local Unions and District Councils sponsor more than one hundred separate defined benefit pension funds that provide retirement income security for many thousands of members and their families. For more than 30 years, the International Union has sponsored a National Reciprocal Agreement for Laborers' Pension Funds in the United States to ensure that a member who works in the jurisdictions of multiple pension funds during his career can be vested in his benefit with each pension fund based on his combined credit with all funds. Most Laborers' pension funds are signatory to the National Reciprocal Agreement. Many members have benefitted from the National Reciprocal Agreement over the years and are receiving pension benefits that they would have lost but for the Agreement.

The National Reciprocal Agreement, however, uses only a "pro rata" approach to reciprocity under which each signatory pension fund recognizes credit earned under each other signatory fund for vesting purposes; no contributions are transferred between funds under the Agreement. Since the adoption of the National Reciprocal Agreement, the mobility of members among the jurisdictions of multiple pension funds has increased greatly, and many members work for short periods under multiple pension funds in various jurisdictions. The limitation of the National Reciprocal Agreement is that it protects a member's credit with a signatory pension fund only if the member earns at least one year of credit under the fund, and too many members are unable to meet that minimum credit requirement under one or more of the pension funds in whose jurisdiction they work.

A substantial number of Laborers' pension funds have therefore prudently entered into various bilateral "money follows the man" reciprocal arrangements to ensure that a traveling member receives the benefit of all pension fund contributions made on his behalf by transferring the contributions to his home pension fund. "Money follows the man" reciprocal arrangements have been particularly helpful for members where members work outside of their home jurisdictions for short periods and sporadically. The effectiveness of "money follows the man" reciprocal arrangements would be significantly enhanced by use of a standard, national agreement among pension funds that wish to have such arrangements.

The International Union and various Local Unions and District Councils also sponsor scores of health and welfare funds on which many thousands of members and their families depend for that health care coverage, life insurance, and various other valuable benefits. For more than a decade, the International Union has sponsored a National Reciprocal Agreement for Laborers' Health & Welfare Funds in the United States to ensure that a member who works in the jurisdiction of health and welfare funds outside of his home jurisdiction can maintain his and his family's health care coverage.

The National Reciprocal Agreement for Laborers' Health & Welfare Funds does not provide for "money follows the man" reciprocity among signatory health and welfare funds. As with pension plans, a substantial number of Laborers' health and welfare funds have prudently entered into various bilateral "money follows the man" reciprocal arrangements to ensure that a traveling member receives the benefit of all health and welfare fund contributions made on his behalf by transferring the contributions to his home health and welfare fund. The effectiveness of "money follows the man" reciprocal arrangements would be significantly enhanced by use of a standard, national agreement among health and welfare funds that wish to have such arrangements.

The adoption of reciprocal arrangements, including "money follows the man" arrangements, by pension funds and health and welfare funds is generally a prudent measure to protect the interests of the funds' participating members many of whom may have a need or desire to work temporarily or partly outside the funds jurisdiction.

***Therefore, Be It Resolved:***

That the International Union forthwith amend the National Reciprocal Agreement for Laborers' Pension Funds in the United States to provide for "money follows the man" reciprocity in addition to "pro rata" reciprocity;

That as so amended, the National Reciprocal Agreement require all signatory pension funds to continue to provide "pro rata" reciprocity, but allow each signatory pension fund to elect to also provide "money follows the man" reciprocity with other signatory pension funds that elect the "money follows the man" reciprocity option;

That the International Union forthwith amend the National Reciprocal Agreement for Laborers' Health and Welfare Funds in the United States to include "money follows the man" reciprocity for signatory health and welfare funds that wish to elect to have such arrangements; and

That all Laborers' pension funds and health and welfare funds are strongly encouraged and expected to adopt the National Reciprocal Agreements once they are so amended.

## RESOLUTION 18

### Tri-Funds

### (Committee on Tri-Fund)

LIUNA's Tri-Funds are an invaluable resource for both Laborers and their employers. Leaders in labor-management cooperation, the Tri-Funds have brought Laborers and contractors together to develop a wide range of apprenticeship, training, safety, health promotion, marketing, computer, and market-related services. These services assist Laborers and their employers to increase market share; develop a safe, skilled, productive workforce; enhance work site safety; reduce health care costs; and push for legislation that results in projects and jobs. Since the establishment of the Laborers-AGC Education and Training Fund (Laborers-AGC) in 1969, and the formation of the Laborers-Employers Cooperation and Education Trust (LECET) and the Laborers' Health and Safety Fund of North America (LHSFNA) in 1988, LIUNA's Tri-Funds have become one of the premiere examples of labor-management cooperation in the construction industry, setting Laborers apart.

Among its key roles, the Tri-Funds serve as our eyes and ears to the future. Through market research, LECET predicts and pursues new opportunities for projects and jobs in key construction markets. LECET helps LIUNA identify and target key owners and construction users in these new markets, and it takes the lead in identifying the potential size, nature and number of jobs these new markets might provide. Laborers-AGC and the LHSFNA, in turn, assess the training and safety needs of these new markets and then mobilize their staffs and combine resources to meet them. Where necessary, all three funds work with LIUNA and signatory employers to develop competitive collective bargaining agreements tailored to specific emerging markets.

The Laborers' International Union of North America (LIUNA) and the Tri-Funds collectively represent a sizeable and significant collection of resources and staff, but many of these resources are not always fully utilized, and utilizing these collective resources and staff could save time and money by avoiding duplication. Strong communication and coordination between the Tri-Funds also will further strengthen LIUNA and enhance its efforts to build market share. We look to the Tri-Funds to coordinate and work closely together on every aspect of their work, including market tracking, information technology, public policy, governmental affairs, advertising and communications, and administration. Furthermore, the Tri-Funds should continue to coordinate closely with affiliates and local benefit funds.

**Laborers-AGC.** Our apprenticeship and training program has evolved into a mature institution of great value to the union, to members and to the industry.

Laborers-AGC has built and maintains the outstanding cadre of instructors that serve as the backbone of the Laborers' training network. Because of attrition, new instructors are constantly joining our ranks as teachers and mentors to LIUNA members throughout North America. Laborers-AGC maintains the high skill level of our instructors by providing training to all new instructors. We expect every instructor of LIUNA's apprentices and journey workers to commit to lifelong learning (continuing education) through Laborers-AGC.

Training programs play a special role in recruiting a diverse and motivated membership. Language is a critical component of this initiative and we therefore ask that at least one instructor at every training fund be trained in Vocational English for Speakers of Others Languages (VESOL). Laborers-AGC has also designed a new entrants' assessment test to ensure that new recruits meet industry standards and contractors' expectations and to promote long-term retention. The quality of our recruits is also a function of the source from which they are drawn.

In particular, we have found many valuable new entrants coming out of Job Corps and Helmets to Hard Hats. Experience has shown that we should amend our apprenticeship standards to give appropriate credit for service in those organizations.

We should expand the number of training courses received at local training funds that are eligible for college credits. Currently all of the Laborers-AGC's environmental courses are recommended for college credit. We should investigate whether other courses are also appropriate for this designation. Within education and industry, acknowledgment by external accrediting organizations highlights the quality and achievements of the entities to which accreditation is awarded. Laborers-AGC should be asked to seek third party accreditation for its programs and services as a means of ensuring training excellence and its affiliated training funds should be encouraged to seek individual accreditation through the partnerships formed by Laborers-AGC.

LaborersLEARN provides convenient on-line training opportunities to LIUNA members and local training fund personnel. We should expand the number of on-line learning training courses that are on LaborersLEARN to support and enhance traditional training offered at local training funds and through Laborers-AGC's instructor training programs.

Our apprenticeship and training capacity remains an unexploited asset if it remains underutilized by our membership. We should ask Laborers-AGC to develop a promotional strategy and marketing tools that will enable local training funds to reach out effectively to LIUNA's membership to promote training.

As LIUNA looks for ways to increase market share and to build the workforce of the future, we renew our commitment to mandatory apprenticeship, to ensuring that new entrants without 4,000 hours of work experience as a construction craft laborer enter the union through an approved apprenticeship program.

Our apprenticeship program is the gateway by which new applicants enter into union membership. It therefore affords a unique opportunity to provide for membership orientation and an introduction into union membership. We believe that we should take advantage of this opportunity by asking that apprenticeship programs incorporate the oath of membership into apprenticeship graduation exercises.

**LECET.** The Laborers-Employers Cooperation and Education Trust (LECET) is a partnership between the Laborers' International Union of North America and its signatory contractors to secure projects and jobs, increase market share, and advance shared market-related interests. Because both Laborers and employers benefit when projects are awarded to signatory contractors, LECET works to maximize projects and job opportunities.

Building market share and expanding jurisdiction is critical to the future of the Laborers' International Union of North America (LIUNA). LECET's research shows that new construction markets are emerging rapidly in response to a constantly changing industry, the advent of new technologies, and external market forces. Many of these new markets may provide unique opportunities for LIUNA to build market share, expand jurisdiction, organize new members, and sign new contractors. The focused efforts of LIUNA and the Tri-Funds in the environmental, pipeline, tunnel and shaft, liquefied natural gas (LNG), and other specialty markets have proven successful and effective in establishing a market presence. We call on LECET to continue to explore these new markets, and to work with LIUNA, Laborers-AGC, and LHSFNA to respond in ways that will increase market share, projects, and jobs.

Technological innovations are constantly affecting and changing the markets and industries in which Laborers work. Information technology (IT) can greatly enhance the effectiveness of every aspect of LIUNA's work. The Internet and global communications networks are flattening the world and putting a premium on competitiveness. LECET has been at the forefront of harnessing IT to help Laborers and signatory contractors build market share, yet many IT services remain under-utilized. We call on LECET to help LIUNA, Laborers-AGC, and LHSFNA to further explore ways to make the most of IT.

**LHSFNA.** The cost of health care for LIUNA members and their dependants is rapidly rising and these increased costs are not only stressing our health and welfare funds, but limiting the access to quality medical care by

our members and their families as well. As such, the Fund works in partnership with our health and welfare funds and Local Unions and District Councils (1) to promote more efficient and cost-effective health care services for our members, including retired members, (2) to develop strategic relationships with labor, management and community groups to develop health care coalitions and to identify health care providers who will provide quality and appropriate care at a reasonable price and (3) to better educate our members and their families about reducing health risks while reducing or controlling health care costs.

While no single approach has completely solved the rapid increase in health care costs problem, significant promise has been shown by a number of health care coalitions. These organizations work on the principle that leverage can be secured by accumulating sufficient numbers of participants. Laborers have not yet fully taken advantage of health care coalitions. The time has come to ask the LHSFNA to explore the possibilities of this approach.

Over the years, thousands of LIUNA members have worked in the construction, operation and maintenance of Department of Energy nuclear weapon and related facilities, helping to defend the United States throughout the Cold War period. These Laborers were exposed to radiation and toxic hazards during the course of this work, and oftentimes, these exposures were poorly monitored. In recent years, hundreds of Laborers responded to terrorist attacks at the World Trade Center and in Washington, D.C., at postal facilities. They too were exposed to toxic dust, fumes and anthrax. Furthermore, many Laborers have worked in response to hurricane-damaged areas in the gulf coast and at other natural disasters. The LHSFNA has been and should continue to work with LIUNA and Laborers-AGC (1) to ensure that members engaged in disaster response receive appropriate federally-funded training and health protection; and (2) to ensure that health problems or risks arising from exposure at DOE nuclear facilities, at the WTC disaster and at any future natural or manmade disasters receive the appropriate medical monitoring and fair compensation is provided for these illnesses and (3) to support laborers and contractors involved in disaster relief efforts.

The LHSFNA should continue to work on a national, state and local level, in partnership with our signatory contractors, construction associations, owners, government agencies and other groups, to eliminate or control potential construction and other work hazards. The LHSFNA, over the past five years, has partnered with the National Asphalt Pavement Association, the International Union of Operating Engineers, and other groups to ensure against any adverse health effects from working with asphalt. In partnership with NIOSH and OSHA, LHSFNA has successfully promoted voluntary regulations providing protective ventilation on all new highway class paving machines sold in the United States, continued research on the long term health effects of asphalt, and prompted the development of lower temperature asphalt to reduce fumes. The LHSFNA's, along with Laborers-AGC's, partnership efforts have led to the development of a nationally recognized highway workzone safety training program.

***Therefore, be it resolved:***

That local training and apprenticeship funds are strongly encouraged to see that all new instructors of LIUNA's apprentices and journey workers receive training through Laborers-AGC's New Instructor Training Program;

That local training and apprenticeship funds are strongly encouraged to have at least one instructor at every training fund be trained in Vocational English for Speakers of Others Languages;

That we call upon Laborers-AGC to investigate whether courses other than environmental remediation courses are eligible for college credit. Moreover, Laborers-AGC should seek third-party accreditation for its programs and services and its affiliated training funds should be encouraged to seek individual accreditation through the partnerships formed by Laborers-AGC;

That Laborers-AGC be asked to expand the number of on-line learning training courses offered to LIUNA members and local training fund personnel through LaborersLEARN;

## LIUNA: GEB RESOLUTIONS

That Laborers-AGC be asked to develop a promotional strategy and marketing tools to enable local training funds to reach out to our membership to promote training more effectively;

That LIUNA reaffirms its commitment to mandatory apprenticeship, to ensuring that new entrants without 4,000 hours of work experience as a construction craft laborer enter the union through an approved apprenticeship program;

That consideration be given by Laborers-AGC and our local funds to amending apprenticeship standards to give new member applicants recruited from Job Corps and Helmets to Hard Hats appropriate credit for service in those organizations;

That apprenticeship and training funds be called upon to incorporate the oath of membership into apprenticeship graduation exercises.

That LIUNA endorses LECET's continued tracking and monitoring of Laborers' market share, and that all Laborers' District Councils and Local Unions continue to provide LECET the information it needs to do this;

That LIUNA continues to work with the Tri-Funds across the range of the activities of the Tri-Funds, including market tracking, information technology, public policy, governmental affairs, advertising and communications, and administration;

That LIUNA calls upon the Tri-Funds to foster and encourage close coordination between LECET affiliates, training funds, and health and welfare funds;

That LIUNA will explore with the Tri-Funds the integrated and coordinated use of information technology across LIUNA and the Tri-Funds;

That LIUNA endorses LECET's program of continued research of potential new markets to determine their size, nature, and potential to provide projects and jobs for Laborers and their signatory contractors, and asks LECET to identify, wherever possible, key signatory contractors interested in working with LIUNA and the Tri-Funds to pursue work in these new markets, and requests that each of the Tri-Funds assess training and safety needs of these new opportunities, and then mobilize their resources to meet those needs on a timely basis;

That as LIUNA reviews, assesses, and implements new information technology at all levels of the International Union it will consult with the Tri-Funds;

That Local Unions and District Councils will utilize as appropriate the IT resources and programs offered by the Tri-Funds;

That LIUNA asks LHSFNA to work with LIUNA health and welfare funds, Local Unions and District Councils to promote more efficient and cost-effective health care services for our members, including retirees;

That LIUNA requests LHSFNA to work with LIUNA health and welfare funds to explore the use of health care coalitions to provide quality and appropriate care at a reasonable price, assuring the best medical outcomes for LIUNA members and cost control for those funds;

That LIUNA asks LHSFNA to work in partnership with LIUNA health and welfare funds and affiliates to better educate members and their families on the efforts they can undertake to reduce health risks and better utilize health care services;

That LIUNA requests the LHSFNA and Laborers-AGC, with support from LIUNA, work to ensure that all members who respond to disasters receive the appropriate training and health protection and that the Federal Government provide financial support for such;

That LIUNA calls upon LHSFNA to continue working with LIUNA to ensure that members who have developed health problems or are at risk of developing health problems from exposures at DOE facilities, WTC sites and at any future natural or manmade disaster sites receive necessary medical monitoring and fair compensation for their illnesses;

That LIUNA will call upon LECET, LHSFNA and Laborers-AGC to work with LIUNA and signatory contractors likely to be involved in these efforts to help them better prepare for emergency situations in the response, recovery and rebuild phases;

That LIUNA endorses continuation by LHSFNA, together with Laborers-AGC where appropriate, of its work on a national, state and local level with LIUNA signatory contractors, construction associations, owners, government agencies and other groups to eliminate or control potential construction work hazards and improve safety on work sites; and

That all affiliates shall make every effort to negotiate participation in each of the Tri-Funds in each collective bargaining agreement.



**RESOLUTION 19**  
**District Council Convention Delegates**  
**(Committee on Resolutions)**

*Whereas*, the Laborers' International Union of North America, its affiliated District Councils and Local Unions are committed to a democratic election of Convention Delegates,

*Whereas*, the Local Union is afforded a set number of Delegates as per the International Union Constitution,

*Whereas*, the District Council is afforded one (1) Delegate slot without vote as parent body,

*Whereas*, the designation of two (2) Delegates from the parent body will not diminish the democratic process, but increase the opportunities for rank and file members to participate in Convention proceedings,

*Therefore Be It Resolved*, that Article V, Section 9(f) of the International Union Constitution be amended to allow two (2) Delegates slots without vote to the District Council as parent body representing over 8,000 members.

*Submitted by:*

*/s/Gary Jorgensen, # 2815779*  
*Michigan Laborers' District Council*

*/s/Lee Chris Chwalek, # 3109188*  
*Local Union 1076, Pontiac, Michigan*

## **RESOLUTION 20**

### **Business Managers as Convention Delegate (Committee on Constitution and Law)**

*Whereas*, the Laborers International Union of North America, its affiliated District Councils and Local Unions remain committed to the democratic election of International Convention Delegates; and

*Whereas*, the Local Union Business Manager, as the principal officer of the Local Union, represents the interests of Local Union membership and should be afforded the opportunity to represent the membership at International Union Conventions; and

*Whereas*, the election of Business Manager as a convention delegate in connection with regular officer elections will not diminish the democratic purpose or effect of either Local Union and Convention delegate elections; and

*Whereas*, election by secret ballot membership vote as a delegate to International Union Conventions must be preserved,

*Therefore Be It Resolved,*

That article V of the International Union Constitution and Article VI, Section 4 of the Uniform Local Union Constitution shall be amended to provide:

Subject to the restrictions in Article V, Section 4 of the International Union Constitution, the Business Manager of a Local Union elected in conformity with the provisions of Article VI of the Uniform Local Union Constitution shall, by virtue of such election, serve as a delegate to regular and special conventions of the International Union that are convened during the term of office.

*Submitted by:*

*/s/ James P. Connolly, Jr. #875211,  
Construction and General Laborers' District Council of Chicago and Vicinity;*

*/s/ Frank Riley, #185428  
Construction and General Laborers' District Council of Chicago and Vicinity;*

*/s/ Antonio S. Castro, #3204621,  
Local Union 1, Franklin Park, Illinois;*

*/s/Richard Kuczkowski, #3270561,  
Local Union 2 Brookfield, Illinois;*

*/s/ William Hosty, #1564780,  
Local Union 4, Chicago, Illinois;  
/s/ Anthony De Luca, #2616960,  
Local Union 5, Chicago Heights, Illinois;  
/s/ Jeff M. Ziemann, #2828996,  
Local Union 6, Chicago, Illinois;  
/s/ Joseph Coconato, #1869987,  
Local Union 25, Westchester, Illinois;  
/s/ Scott L. Pavlis, #1640327  
Local Union 75, Joliet, Illinois;  
/s/ Liberato Naimoli, #883708,  
Local Union 76, Chicago, Illinois;  
/s/ Timothy Riley, #2695089,  
Local Union 96, Glen Ellyn, Illinois;  
/s/ Martin T. Flanagan, #2264979,  
Local Union 118, Mt. Prospect, Illinois;  
/s/ Joseph Mann, #1982174,  
Local Union 149, Aurora, Illinois;  
/s/ John Michael Lazzaretto, #1109210,  
Local Union 152, Highland Park, Illinois;  
/s/ Russ Schneider, #2835489  
Local Union 225, Des Plaines, Illinois;  
/s/ William Kelly, #2063562,  
Local Union 269, Chicago, Illinois;  
/s/ Larry Wright, Jr., #2420289  
Local Union 288, Westmont, Illinois;  
/s/ Toby E. Koth, #2047230,  
Local Union 582, Elgin, Illinois;  
/s/ Randy Dalton, #1298500  
Local Union 681, Westmont, Illinois;  
/s/ Louis Phillips, #2853573,  
Local Union 1001, Chicago, Illinois;  
/s/ Gordon A. Anderson, #1077972,  
Local Union 1035, Marengo, Illinois;  
/s/ Charles V. Lo Verde III, #1941862,  
Local Union 1092, Chicago, Illinois;*

## **RESOLUTION 21**

### **Death Benefit**

### **(Committee on Constitution and Law)**

*Whereas*, the International Union has for many years provided a death benefit Under Article XXII of the International Union Constitution; and

*Whereas*, many retirees have maintained membership in good standing with the International Union based in whole or part on the promise of a death benefit of up to \$1,500; and

*Whereas*, elimination of the death benefit for current retirees would be a breach of faith against the Union's own membership, many of whom rely on the benefit as part of their estate planning; and

*Whereas*, the expense of maintaining the death benefit does not justify its elimination for retirees who have paid dues to the International Union for many years on the expectation of receiving the benefit; and

*Whereas*, current retirees should be exempted from any reduction in the death benefit,

*Therefore Be It Resolved*,

That there shall be no reduction in the death benefit provided under Article XXII of the International Union Constitution, as amended in 2001, to any member that has retired on or before December 31, 2006.

*Submitted by:*

*s/ James P. Connolly, Jr. #875211,  
Construction and General Laborers' District Council of Chicago and Vicinity;  
/s/ Frank Riley, #185428  
Construction and General Laborers' District Council of Chicago and Vicinity;*

*/s/ Antonio S. Castro, #3204621,  
Local Union 1, Franklin Park, Illinois;  
/s/ Richard Kuczkowski, #3270561,  
Local Union 2, Brookfield, Illinois;  
/s/ William Hosty, #1564780,*

*Local Union 4, Chicago, Illinois;  
/s/ Anthony De Luca, #2616960,  
Local Union 5, Chicago Heights, Illinois;  
/s/ Jeff M. Ziemann, #2828996  
Local Union 6, Chicago, Illinois;  
/s/ Joseph Coconato, #1869987,  
Local Union 25, Westchester, Illinois;  
/s/ Scott L. Pavlis, #1640327  
Local Union 75, Joliet, Illinois;  
/s/ Liberato Naimoli, #883708,  
Local Union 76, Chicago, Illinois;  
/s/ Timothy Riley, #2695089,  
Local Union 96, Glen Ellyn, Illinois;  
/s/ Martin T. Flanagan, #2264979,  
Local Union 118, Mt. Prospect, Illinois,  
/s/ Joseph Mann, #1982174,  
Local Union 149, Aurora, Illinois;  
/s/ John Michael Lazzaretto, #1109210,  
Local Union 152, Highland Park, Illinois;  
/s/ Russ Schneider, #2835489  
Local Union 225, Des Plaines, Illinois;  
/s/ William Kelly, #2063562,  
Local Union 269, Chicago, Illinois;  
/s/ Larry Wright, Jr., #2420289  
Local Union 288, Westmont, Illinois;  
/s/ Toby E. Koth, #2047230,  
Local Union 582, Elgin, Illinois;  
/s/ Randy Dalton, #1298500  
Local Union 681, Westmont, Illinois;  
/s/ Louis Phillips, #2853573,  
Local Union 1001, Chicago, Illinois;  
/s/ Gordon A. Anderson, #1077972,  
Local Union 1035, Marengo, Illinois;  
/s/ Charles V. Lo Verde III, #1941862,  
Local Union 1092, Chicago, Illinois;*

## **RESOLUTION 22**

### **Variable District Council Per Capita Tax (Committee on Constitution and Law)**

*Whereas*, the International Union regulates the payment of dues and other moneys by its members for the benefit of District Councils; and

*Whereas*, there are District Councils with jurisdiction over Local Labor Unions in disparate crafts; and

*Whereas*, principles of equity and fairness require that the members within each craft pay their fair share of the cost of the services provided by the District Councils to their craft and that members within one craft generally should not be expected to pay for the services provided exclusively to another craft;

*Be it Resolved*, that the Uniform District Council Constitution, Article VIII, “Taxes, Fees, Assessments and Dues,” be amended to add the following section:

“Section 4. When the jurisdiction of a District Council includes more than one craft, the District Council shall ensure that the fees, taxes, and dues paid for the benefit of the District Council by members within each craft are proportional to the cost of the services provided by the District Council for the benefit of the members of each craft.”

*Submitted by:*

*Ronald B. Nobili, #96755,  
Local Union 665, Bridgeport, Connecticut;*

*Gerard McKeon, #2962926,  
Local Union 665, Bridgeport, Connecticut*

**RESOLUTION23**  
**State and Local Labor Councils/BCTDs**  
**(Committee on Resolutions)**

*Whereas*, many LIUNA District Councils and Local Unions have for decades enjoyed harmonious and productive associations with local and state labor councils; and

*Whereas*, cooperation among trades through local and state labor councils is essential to effective organizing, contract negotiation and contract enforcement; and

*Whereas*, local and state labor councils help to reduce jurisdictional disputes among the trades, thereby strengthening the labor movement; and

*Whereas*, union density historically remains highest where trades are affiliated with local and state labor councils; and

*Whereas*, many District Council and Local Union officials and members desire to maintain their associations with local and state labor councils,

*Therefore Be It Resolved*, that LIUNA District Councils and Local Unions are authorized to establish and maintain affiliations with local and state labor councils, building trades organizations and federations of labor.

*Submitted by:*

*/s/ James P. Connolly, Jr. #875211,  
Construction and General Laborers' District Council of Chicago and Vicinity;*

*/s/ Frank Riley, #185428  
Construction and General Laborers' District Council of Chicago and Vicinity;*

*/s/ Antonio S. Castro, #3204621,  
Local Union 1, Franklin Park, Illinois;*

*/s/Richard Kuczkowski, #3270561,  
Local Union 2, Brookfield, Illinois;*

*/s/ William Hosty, #1564780,  
Local Union 4, Chicago, Illinois;*

*/s/ Anthony De Luca, #2616960,  
Local Union 5, Chicago Heights, Illinois;*

*/s/ Jeff M. Ziemann, #2828996,*

## LIUNA: DELEGATE RESOLUTIONS

*Local Union 6, Chicago, Illinois;  
/s/Joseph Coconato, #1869987,  
Local Union 25, Westchester, Illinois;  
/s/Scott L. Pavlis, #1640327  
Local Union 75, Joliet, Illinois;  
/s/ Liberato Naimoli, #883708,  
Local Union 76, Chicago, Illinois;  
/s/ Timothy Riley, #2695089,  
Local Union 96, Glen Ellyn, Illinois;  
/s/ Martin T. Flanagan, #2264979,  
Local Union 118, Mt. Prospect, Illinois;  
/s/ Joseph Mann, #1982174,  
Local Union 149, Aurora, Illinois;  
/s/ John Michael Lazzaretto, #1109210,  
Local Union 152, Highland Park, Illinois;  
/s/ Russ Schneider, #2835489  
Local Union 225, Des Plaines, Illinois;  
/s/ William Kelly, #2063562,  
Local Union 269, Chicago, Illinois;  
/s/ Larry Wright, Jr., #2420289  
Local Union 288, Westmont, Illinois;  
/s/ Toby E. Koth, #2047230,  
Local Union 582, Elgin, Illinois;  
/s/ Randy Dalton, #1298500  
Local Union 681, Westmont, Illinois;  
/s/ Louis Phillips, #2853573,  
Local Union 1001, Chicago, Illinois;  
/s/ Gordon A. Anderson, #1077972,  
Local Union 1035, Marengo, Illinois;  
/s/ Charles V. Lo Verde III, #1941862,  
Local Union 1092, Chicago, Illinois;*

**RESOLUTION 24**  
**Request of Transfers**  
**(Committee on Constitution and Law)**

*Whereas*, many contractors are unionized in the areas of some Local Unions and not in others;

*And Whereas*, many of these Contractors see fit to bring these regular employees into areas where they are not unionized;

*And Whereas*, Business Managers do not have a right to demand a transfer until the passage of thirty (30) days pursuant to Article 21, Section 9 of the International Union Constitution;

*Now Therefore Be It Resolved*, that it is the policy of the International Union that each Local Union Business Manager may request another Local Union Business Manager to transfer a member working in his area without the expressed permission of that member.

*Submitted by:*

*Douglas J. Serroul, #1232211*  
*Atlantic Region District Council*

## **RESOLUTION 25**

### **National Agreements (First)**

### **(Committee on Resolutions)**

*Whereas*, through years of effort, Laborers in metropolitan areas with high market share have established local working practices and conditions that have dramatically improved the lives of Laborers and should be preserved wherever possible; and

*Whereas*, these local working conditions mandate that all work be performed under local area agreements and prohibit the use of project labor agreements, whose use dramatically undermines the ability to defend all-union conditions; and

*Whereas*, the local working conditions do not restrict the essential and indispensable right to strike and picket against non-union contractors or signatory contractors that admittedly fail to pay locally negotiated wages and benefits; and

*Whereas*, many national agreements do not protect the above-enumerated local conditions and thereby undermine many years of productive work and gains that were secured by local labor organizations; and

*Whereas*, many employers that are signatory to local area agreements seek to undermine the working conditions established under local area agreements by entering into national agreements providing lesser working conditions and standards; and

*Whereas*, while recognizing the value of national agreements to secure unionized employment throughout the national union's jurisdiction, but mindful that national agreements cannot be used to undermine established local working practices and conditions in high market share metropolitan areas,

*Therefore Be It Resolved,*

That if a national agreement:

- 1) contains substandard wages (including overtime provisions), benefits or other working conditions to a local area agreement;
- 2) is applicable only to individual projects; and/or
- 3) is made with an employer that is signatory to a local area agreement,

then the International Union shall not approve the use of such national agreement within high market share metropolitan areas without prior written consent from the District Council with jurisdiction over the metropolitan area.

*Submitted by:*

*/s/ James P. Connolly, Jr. #875211,  
Construction and General Laborers' District Council of Chicago and Vicinity;  
/s/ Frank Riley, #185428  
Construction and General Laborers' District Council of Chicago and Vicinity;  
/s/ Antonio S. Castro, #3204621,  
Local Union 1, Franklin Park, Illinois;  
/s/Richard Kuczkowski, #3270561,  
Local Union 2, Brookfield, Illinois;  
/s/ William Hosty, #1564780,  
Local Union 4, Chicago, Illinois;  
/s/ Anthony De Luca, #2616960,  
Local Union 5, Chicago Heights, Illinois;  
/s/ Jeff M. Ziemann, #2828996,  
Local Union 6, Chicago, Illinois;  
/s/Joseph Coconato, #1869987,  
Local Union 25, Westchester, Illinois;  
/s/Scott L. Pavlis, #1640327  
Local Union 75, Joliet, Illinois;  
/s/ Liberato Naimoli, #883708,  
Local Union 76, Chicago, Illinois;  
/s/ Timothy Riley, #2695089,  
Local Union 96, Glen Ellyn, Illinois;  
/s/ Martin T. Flanagan, #2264979,  
Local Union 118, Mt. Prospect, Illinois;  
/s/ Joseph Mann, #1982174,  
Local Union 149, Aurora, Illinois;  
/s/ John Michael Lazzaretto, #1109210,  
Local Union 152, Highland Park, Illinois;  
/s/ Russ Schneider, #2835489  
Local Union 225, Des Plaines, Illinois;*

**LIUNA: DELEGATE RESOLUTIONS**

*/s/ William Kelly, #2063562,  
Local Union 269, Chicago, Illinois;  
/s/ Larry Wright, Jr., #2420289  
Local Union 288, Westmont, Illinois;  
/s/ Toby E. Koth, #2047230,  
Local Union 582, Elgin, Illinois;  
/s/ Randy Dalton, #1298500  
Local Union 681, Westmont, Illinois;  
/s/ Louis Phillips, #2853573,  
Local Union 1001, Chicago, Illinois;  
/s/ Gordon A. Anderson, #1077972,  
Local Union 1035, Marengo, Illinois;  
/s/ Charles V. Lo Verde III, #1941862,  
Local Union 1092, Chicago, Illinois*

## **RESOLUTION 26**

### **National Agreements (Second)**

### **(Committee on Resolutions)**

*Whereas*, through years of effort, Laborers in metropolitan areas with high market share have established local working practices and conditions that have dramatically improved the lives of Laborers and should be preserved wherever possible; and

*Whereas*, these local working conditions mandate that all work be performed under local area agreements and prohibit the use of project labor agreements, whose use dramatically undermines the ability to defend all-union conditions; and

*Whereas*, the local working conditions do not restrict the essential and indispensable right to strike and picket against non-union contractors or against signatory contractors that admittedly fail to pay locally negotiated wages and benefits; and

*Whereas*, many national agreements do not protect the above-enumerated local conditions and thereby undermine many years of productive work and gains that were secured by local labor organizations; and

*Whereas*, many employers that are signatory to local area agreements seek to undermine the working conditions established under local area agreements by entering into national agreements providing lesser working conditions and standards; and

*Whereas*, while recognizing the value of national agreements to secure unionized employment throughout the national union's jurisdiction, but mindful that national agreements cannot be used to undermine established local working practices and conditions in high market share metropolitan areas,

*Therefore Be It Resolved,*

That when negotiating national agreements, the General President give special consideration to those metropolitan areas with high market share;

That whenever possible, national agreements refer back to the terms and conditions of local agreements in high market share areas;

**LIUNA: DELEGATE RESOLUTIONS**

That contractors whom are signatory to local agreements in high market share areas not be allowed to use national agreements except under special consideration from the General President; and

That whenever possible national agreements not be used in high market share areas for work covered by local agreements.

Submitted by:

*/s/ Scott L. Pavlis, #1640327  
Local Union 75, Joliet, Illinois  
/s/ Liberato Naimoli, #883708  
Local Union 76, Chicago, Illinois*

## **RESOLUTION 27**

### **National (Industrial) Pension Fund (Committee on Welfare and Pension)**

*Whereas*, the Laborers' International Union of North America was built through the efforts of men and women who today are retirees; and

*Whereas*, pensioners of the National (Industrial) Pension Fund deserve improvements in their pensions, both to address the rising cost of living and to improve their standard of living; and

*Whereas*, if the National (Industrial) Pension Fund has sufficient assets, it is incumbent upon the Fund trustees to improve benefits,

*Therefore, Be It Resolved,*

That the Convention recommend to the Board of Trustees of the LIUNA National (Industrial) Pension Fund that it consider the following amendments:

- a. Raise the maximum contribution rate above the current ceiling of \$2.50 per hour;
- b. Establish bonus credits commencing in 2007 for participants working more than 1,000 hours per calendar year;
- c. Lower the normal retirement age below 62;
- d. Decrease the amount of reduction in pension benefits for a surviving spouse to less than 19% for a full pension benefit and less than 15% for a 75% pension benefit;
- e. Increase the widow/widower pension benefit about 50% when a participant dies before entering retirement;
- f. Permit participants to increase contribution rates by any amount, up to the maximum contribution rate, once approval for an increase over \$.72 per hour has been granted; and
- g. Grant pension credits for all years worked by participants.

**LIUNA: DELEGATE RESOLUTIONS**

*Submitted by:*

*/s/ Joseph Coconato, #1869987,  
Local Union 25, Westchester, Illinois;  
/s/ Liberato Naimoli, #883708,  
Local Union 76, Chicago, Illinois;  
/s/ Russ Schneider, #2835489,  
Local Union 225, Des Plaines, Illinois;  
/s/ Randy Dalton, #1298500,  
Local Union 681, Westmont, Illinois*

**RESOLUTION 28**  
**Local Union/District Council Pension Fund (First)**  
**(Committee on Welfare and Pension)**

*Whereas*, the LIUNA Local Union and District Council Pension Fund established an orderly system for providing retirement income for full-time officers and employees of the Union and its affiliates; and

*Whereas*, the Fund has operated on a fiscally sound basis and has satisfied all applicable legal requirements while still being responsive to the needs and desires of its participants; and

*Whereas*, the Delegates to the LIUNA 23<sup>rd</sup> Convention wish to ensure that its retirees have adequate funds upon which to live a full and fruitful life; and

*Whereas*, retirees are consistently being subjected to annual inflationary cost of living increases without an offsetting rise in their pension; and

*Whereas*, such increases in the cost of living have deprived our retirees who built the Fund and this Union and its affiliates into the international power that it is today; and

*Whereas*, the Fund has adequate reserves to assist our retirees in their quality of life,

*Therefore, Be It Resolved,*

That the Convention recommend to the Board of Trustees of the LIUNA Local Union and District Council Pension Fund that there shall be a cost of living allowance given to each retiree or surviving spouse and that said cost of living allowance shall be fixed to the Consumer Price Index and adjusted every five (5) years in accordance thereto.

Submitted by:

*/s/ James P. Connolly, Jr., #875211,*  
*Construction and General Laborers' District Council of Chicago and Vicinity;*

*/s/ Frank Riley, #185428,*  
*Construction and General Laborers' District Council of Chicago and Vicinity;*

*/s/ Antonio S. Castro, #3204621,*  
*Local Union 1, Franklin Park, Illinois;*

*/s/ Richard Kuczkowski, #3270561,*  
*Local Union 2, Brookfield, Illinois;*

## LIUNA: DELEGATE RESOLUTIONS

*/s/ William Hosty, #1564780,  
Local Union 4, Chicago, Illinois;  
/s/ Anthony De Luca, #2616960,  
Local Union 5, Chicago Heights, Illinois;  
/s/ Jeff M. Ziemann, #2828996;  
Local Union 6, Chicago, Illinois;  
/s/ Joseph Coconato, #1869987,  
Local Union 25, Westchester, Illinois;  
/s/ Scott L. Pavlis, #1640327,  
Local Union 75, Joliet, Illinois;  
/s/ Liberato Naimoli, #883708,  
Local Union 76, Chicago, Illinois;  
/s/ Timothy Riley, #2695089,  
Local Union 96, Glen Ellyn, Illinois;  
/s/ Martin T. Flanagan, #2264979,  
Local Union 118, Mt. Prospect, Illinois;  
/s/ Joseph Mann, #1982174,  
Local Union 149, Aurora, Illinois;  
/s/ John Michael Lazzaretto, #1109210,  
Local Union 152, Highland Park, Illinois;  
/s/ Russ Schneider, #2835489,  
Local Union 225, Des Plaines, Illinois;  
/s/ William Kelly, #2063562,  
Local Union 269, Chicago, Illinois;  
/s/ Larry Wright, Jr., #2420289,  
Local Union 288, Westmont, Illinois;  
/s/ Toby E. Koth, #2047230,  
Local Union 582, Elgin, Illinois;  
/s/ Randy Dalton, #1298500,  
Local Union 681, Westmont, Illinois;  
/s/ Louis Phillips, #2853573,  
Local Union 1001, Chicago, Illinois;  
/s/ Gordon A. Anderson, #1077972,  
Local Union 1035, Marengo, Illinois;  
/s/ Charles V. Lo Verde III, #1941862,  
Local Union 1092, Chicago, Illinois.*

**RESOLUTION 29**  
**Local Union/District Council Pension Fund (Second)**  
**(Committee on Welfare and Pension)**

Participants who retire with at least 25 years of service in the L.I.U.N.A. Local Union and District Council Pension Plan (“Plan”) and who pay a monthly premium to either Medicare or to a LIUNA sponsored Health & Welfare Trust for coverage for themselves or for themselves and their spouses, shall be paid a monthly benefit in a sum equivalent to the monthly premium paid by the participant to Medicare or to a LIUNA sponsored Health & Welfare Trust up to the sum of \$700 per month; such benefit shall be in addition to benefits otherwise payable to such participants under this Plan.

For purposes of this section, LIUNA sponsored Health & Welfare Trust shall mean a Health & Welfare Trust sponsored by LIUNA, an affiliated District Council or Local Union, whether alone or in conjunction with employers.

*Submitted by:*

*John L. Smith, #600416,  
Local Union 1184, Riverside, California*

**RESOLUTION 30**  
**Election, Appellate and Independent**  
**Hearing Officers**  
**(Committee on Constitution and Law)**

*Whereas*, L.I.U.N.A. members and Local Unions support fair, open and democratic processes and procedures for appeals or protests to be heard and considered under principles of natural justice;

*And Whereas*, those persons hearing and deciding those issues so appealed should fundamentally understand and support the principles of trade Unions;

*Therefore, Be It Resolved* that L.I.U.N.A. only retain or hire persons in the position of Election Officer, Appellate Officer and Independent Hearings Officer that meet the following criteria;

- a. Direct employees or officers of L.I.U.N.A. or
- b. Labour lawyers who have represented unions and who have never acted on behalf of employers or the justice departments of any government or
- c. Labour arbitrators who clearly understand unions and support trade unionism and who have never acted on behalf of the justice departments of any government.

*Submitted by:*

*/s/ Jim MacKinnon, #1578195*  
*Local Union 1059, London, Ontario*

## **RESOLUTION 31**

### **Reduced Per Capita for Low Wage Sectors (Committee on Constitution and Law)**

*Whereas*, LIUNA District Councils and Local Unions are aggressively organizing low-wage workers in the industrial and service sectors of the economy, thereby organizing the unorganized and raising the living standards of the lowest paid workers; and

*Whereas*, the workers in these sectors require substantial time and resources from the Local Unions to negotiate and administer labor contracts due to substantial pressures from management; and

*Whereas*, the lowest paid workers are least able to afford the cost of Union membership and collective bargaining services; and

*Whereas*, in order to effectively service the lowest paid workers, Local Unions must retain a higher percentage of dues paid by them,

*Therefore, Be It Resolved,*

That LIUNA establish a Committee comprised of International Regional Vice Presidents and Managers, District Council and Local Union Business Managers to investigate the needs of the Local Unions and the financial problems arising out of organizing low paid workers in different geographical areas of Canada and the United States.

*Therefore, Be It Finally Resolved,*

That the General Executive Board of LIUNA be given the direction and power to make necessary changes to Article XVIII Section 3 of the International Union Constitution to allow for a reduction in per capita payments for workers organized in low wage sectors.

Submitted by:

*/s/ James P. Connolly, Jr., #875211,  
Construction and General Laborers' District Council of Chicago and Vicinity;  
/s/ Frank Riley, #185428,  
Construction and General Laborers' District Council of Chicago and Vicinity;*

*/s/ Antonio S. Castro, #3204621,  
Local Union 1, Franklin Park, Illinois;*

## LIUNA: DELEGATE RESOLUTIONS

*/s/ Richard Kuczkowski, #3270561,  
Local Union 2, Brookfield, Illinois;  
/s/ William Hosty, #1564780,  
Local Union 4, Chicago, Illinois;  
/s/ Anthony De Luca, #2616960,  
Local Union 5, Chicago Heights, Illinois;  
/s/ Jeff M. Ziemann, #2828996,  
Local Union 6, Chicago, Illinois;  
/s/ Joseph Coconato, #1869987,  
Local Union 25, Westchester, Illinois;  
/s/ Scott L. Pavlis, #1640327,  
Local Union 75, Joliet, Illinois;  
/s/ Liberato Naimoli, #883708,  
Local Union 76, Chicago, Illinois;  
/s/ Timothy Riley, #2695089,  
Local Union 96, Glen Ellyn, Illinois;  
/s/ Martin T. Flanagan, #2264979,  
Local Union 118, Mt. Prospect, Illinois;  
/s/ Joseph Mann, #1982174,  
Local Union 149, Aurora, Illinois;  
/s/ John Michael Lazzaretto, #1109210,  
Local Union 152, Highland Park, Illinois;  
/s/ Russ Schneider, #2835489,  
Local Union 225, Des Plaines, Illinois;  
/s/ William Kelly, #2063562,  
Local Union 269, Chicago, Illinois;  
/s/ Larry Wright, Jr., #2420289,  
Local Union 288, Westmont, Illinois;  
/s/ Toby E. Koth, #2047230,  
Local Union 582, Elgin, Illinois;  
/s/ Randy Dalton, #1298500,  
Local Union 681, Westmont, Illinois;  
/s/ Louis Phillips, #2853573,  
Local Union 1001, Chicago, Illinois;  
/s/ Gordon A. Anderson, #1077972,  
Local Union 1035, Marengo, Illinois;  
/s/ Charles V. Lo Verde III, #1941862,  
Local Union 1092, Chicago, Illinois.*

## **RESOLUTION 32**

### **Referral Rules**

#### **(Committee on Resolutions)**

*Whereas*, the current Job Referral Guidelines apply to Local Unions maintaining both exclusive and non-exclusive job applicant referral systems; and

*Whereas*, the current Job Referral Guidelines in non-exclusive referral systems have significantly reduced successful job referrals and consequently weakened Local Unions because, among other reasons, they have:

- a. impaired the ability of Local Unions to refer applicants most suited to the employment needs of signatory employers;
- b. imposed cumbersome and onerous administrative requirements on non-exclusive referral systems;
- c. caused employers to reject referrals and to hire new employees from non-union sources, thereby denying Local Union members meaningful employment opportunities; and
- d. materially impaired relations between Local Unions and employer due to the foregoing; and

*Whereas*, non-discriminatory, effective and transparent referrals in non-exclusive job applicant referral systems can be preserved while permitting Local Unions to administer job referrals as best suits their individual needs,

*Therefore, Be It Resolved,*

That the International Union take all steps necessary and not in conflict with the January 18, 2000 Final Agreement between LIUNA and the United States to amend the Job Referral Guidelines as they pertain to non-exclusive referral systems by replacing Sections 4 and 5 thereof with the following:

Local Unions maintaining non-exclusive referral systems shall not discriminate in referring applicants based on factors other than fitness to perform the work, the employer's labor requirements, the applicants' needs and circumstances, and union membership. Local Unions and their officers shall not condition job referrals on receipt of personal benefits or for other reasons prohibited by the Ethical Practices Code.

*Submitted by:*

*/s/ James P. Connolly, Jr., #875211,  
Construction and General Laborers' District Council of Chicago and Vicinity;  
/s/ Frank Riley, #185428,  
Construction and General Laborers' District Council of Chicago and Vicinity;  
/s/ Antonio S. Castro, #3204621,  
Local Union 1, Franklin Park, Illinois;  
/s/ Richard Kuczkowski, #3270561,  
Local Union 2, Brookfield, Illinois;  
/s/ William Hosty, #1564780,  
Local Union 4, Chicago, Illinois;  
/s/ Anthony De Luca, #2616960,  
Local Union 5, Chicago Heights, Illinois;  
/s/ Jeff M. Ziemann, #2828996,  
Local Union 6, Chicago, Illinois;  
/s/ Joseph Coconato, #1869987,  
Local Union 25, Westchester, Illinois;  
/s/ Scott L. Pavlis, #1640327,  
Local Union 75, Joliet, Illinois;  
/s/ Liberato Naimoli, #883708,  
Local Union 76, Chicago, Illinois;  
/s/ Timothy Riley, #2695089,  
Local Union 96, Glen Ellyn, Illinois;  
/s/ Martin T. Flanagan, #2264979,  
Local Union 118, Mt. Prospect, Illinois;  
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Local Union 149, Aurora, Illinois;  
/s/ John Michael Lazzaretto, #1109210,  
Local Union 152, Highland Park, Illinois;  
/s/ Russ Schneider, #2835489,  
Local Union 225, Des Plaines, Illinois;  
/s/ William Kelly, #2063562,  
Local Union 269, Chicago, Illinois;  
/s/ Larry Wright, Jr., #2420289,  
Local Union 288, Westmont, Illinois;  
/s/ Toby E. Koth, #2047230,  
Local Union 582, Elgin, Illinois;  
/s/ Randy Dalton, #1298500,  
Local Union 681, Westmont, Illinois;  
/s/ Louis Phillips, #2853573,  
Local Union 1001, Chicago, Illinois;  
/s/ Gordon A. Anderson, #1077972,  
Local Union 1035, Marengo, Illinois;  
/s/ Charles V. Lo Verde III, #1941862,  
Local Union 1092, Chicago, Illinois.*

## **RESOLUTION 33**

### **Travel Cards**

#### **(Committee on Constitution and Law)**

*Whereas*, members in good standing have the absolute right pursuant to Article 21 of the International Union Constitution and Article 10 of the Uniform Local Union Constitution to transfer their membership from the Local Union to another;

*And Whereas*, an exodus of members from a Local Union in times of low employment can have detrimental effects on the finances of a Local Union;

*And Whereas*, circumstances may exist in any Local Union from time to time which would justify the limitation of the right of transfer such as local hire provision, aboriginal people, participation and employment equity legislation to name a few;

*And Whereas*, most other Building Trades Local Unions, which face the same employment circumstances as our Union have a travel card system in place;

*And Whereas*, the unlimited right to transfer often puts Local Union Hiring Halls in very difficult positions, undermining relationships with Local Governments and institutions achieved over the years through much effort and persistence;

*And Whereas*, each Local Union has their own benefit plan and not all Locals participate in the same pension plan;

*Now, Therefore Be It Resolved* that it is the policy of the International Union to implement a Travel card System in such a manner that the member will pay the monthly dues to his/her home local, all benefits shall be remitted directly to his/her home local and the working dues shall be remitted to the Local Union where the work is taking place. The Local Union Business Manager will also be empowered to defer acceptance of a member's Travel Card for reasonable and just cause. Transfers will only be considered upon reasonable proof of permanent residence within the jurisdiction of the Local Union.

*Submitted by:*

*Douglas J. Serroul, #1232211,  
L.I.U.N.A. Atlantic Region District Council*