

# IOWA FEDERATION OF LABOR, AFL-CIO



## Constitution and By-Laws

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*APPROVED BY NATIONAL AFL-CIO ON SEPTEMBER 25, 2020*

## **PREAMBLE**

This Federation was established as an expression of the hopes and aspirations of the working people of the State of Iowa.

We seek the fulfillment of these hopes and aspirations through democratic processes within the framework of our constitutional government and consistent with our institutions and traditions.

At the collective bargaining table, in the community, in the exercise of the rights and responsibilities of citizenship, we shall responsibly serve the rights of all the American people.

We pledge ourselves to the more effective organization of working men and women; to the securing to them of full recognition and enjoyment of the rights to which they are justly entitled; to the achievement of ever higher standards of living and working conditions; to the attainment of security for all the people; to the enjoyment of the leisure which their skills make possible; and to the strengthening and extension of our way of life and the fundamental freedoms which are the basis of our democratic society.

We shall combat resolutely the forces which seek to undermine the democratic institutions of our State and Nation and enslave the human soul. We shall strive always to win full respect for the dignity of the human individual whom our Unions serve.

Grateful for the fine traditions of our past and confident of meeting the challenges of the future, we proclaim this Constitution.

## **CONSTITUTION**

### **ARTICLE I**

#### **Name and Headquarters**

This Organization shall be known as the IOWA FEDERATION OF LABOR, AFL-CIO, with office and headquarters in Des Moines, Iowa, where the President and Secretary-Treasurer shall be located to carry on the work of the Organization.

### **ARTICLE II**

#### **Objectives and Principles**

The objectives and principles of this Federation are:

1. To aid workers in securing improved wages, hours and working conditions with due regard for the autonomy and integrity of affiliated Unions.
2. To aid and assist affiliated Unions in extending the benefits of mutual assistance and collective bargaining to workers and to promote the organization of the unorganized into

Unions of their own choosing for their mutual aid, protection and advancement, giving recognition to the principle that craft, industrial, service and public sector Unions are appropriate and necessary as methods of Union organization. This State Federation will not participate in any organizing campaign where there is more than one International Union which is affiliated with the National AFL-CIO seeking the same bargaining unit.

3. To encourage all workers, without regard to race, creed, color, sex, national origin, religion, age, disability or sexual orientation to share in the full benefits of Union organization.

4. To undertake all reasonable efforts to ensure diversity of representation at every level.

5. To secure legislation which will safeguard and promote the principle of free collective bargaining, the rights of workers, farmers and consumers and the security and welfare of all people.

6. To aid and encourage sale and use of Union-made goods and Union services through the use of the Union Label and other symbols, to promote the Labor Press and to carry on a sound and responsible public relations program with all other segments of our society and any other means of furthering the education of the Labor Movement.

7. To protect the Labor Movement, both from within and without, from any and all corrupt influences and from the undermining efforts of authoritarianism, totalitarianism, terrorism and all other forces that suppress individual liberties and freedom of association and oppose the basic principles of our democracy and of free and democratic unionism.

8. While preserving the independence of the Labor Movement from political control, to encourage workers to register and vote, to exercise their full rights and responsibilities of citizenship and to perform their rightful part in the political life of their local, state and national communities.

### **ARTICLE III**

#### **Affiliation and Jurisdiction**

Section 1. This Federation shall be affiliated with the National AFL-CIO in accordance with the terms of the charter granted by the National AFL-CIO.

Section 2. The Iowa Federation of Labor, AFL-CIO shall be composed exclusively of such of the following organizations within the State of Iowa as shall conform to this Constitution and the rules and regulations adopted pursuant thereto:

(a) Local Unions of National and International Unions and Organizing Committees affiliated with the AFL-CIO and Local Unions chartered directly by the AFL-CIO.

(b) Area Labor Federations and chapters chartered by the AFL-CIO.

(c) Local and State Councils chartered by the Trade, Industrial and Public Employee Departments of the AFL-CIO.

(d) Joint Boards, District Councils and similar subordinate organizations which are duly chartered by an affiliate of the AFL-CIO.

(e) Iowa Alliance for Retired Americans.

(f) State chapters of AFL-CIO constituency groups and/or local chapters of such groups if there is no state chapter and they have been designated by the national constituency group.

Section 3. No organization or person that has seceded, has been suspended or has been expelled by the American Federation of Labor, the Congress of Industrial Organizations or by any national or international organization connected with this Federation shall, while under such penalty, be allowed representation or recognition in this State Federation of Labor. No organization officered, controlled or dominated by persons whose policies or activities are consistently directed toward the achievement of the program or purpose of authoritarian, totalitarian, terrorist or other forces that suppress individual liberties and freedom of association shall be permitted as affiliates of this Federation of Labor.

## **ARTICLE IV**

### **Officers and Executive Council**

Section 1. The Officers of this Federation shall consist of the President, Secretary-Treasurer, eighteen (18) Vice Presidents at Large, one Vice President representing each Area Labor Federation, one Vice President representing the Iowa Alliance for Retired Americans, and one Next-Up Vice President representing young workers meeting AFL-CIO's "Next Up" criteria. Additionally, in areas with one or more viable AFL-CIO constituency groups, the combined constituency groups affiliated with the Iowa Federation of Labor shall be entitled to one voting seat on the Executive Council. These Officers shall constitute the Executive Council. No full-time officer of the Iowa Federation of Labor, AFL-CIO may hold any other full-time elective or appointive office.

Section 2. Anyone, after being elected to the Executive Council of this Federation, must become a legal resident of the State of Iowa. No more than one delegate from any one International Union shall serve as President, Secretary-Treasurer or any of the eighteen (18) Vice Presidents at Large.

Section 3. No more than two delegates from any one International Union shall serve on this Executive Council, excluding representatives from Area Labor Federations and the Alliance for Retired Americans

Section 4. The Executive Council shall meet quarterly. Available technology, such as teleconferencing, skype, and other tools will be used to allow the broadest participation by Executive Council members, provided, however, that votes cast on motions to raise per capita tax or fees, and for the casting of votes to fill an Officer or Executive Council vacancy, may only be carried out in person. Special Council Meetings may be called by the President, Secretary-Treasurer or by a request of the majority of the Executive Council members.

(a) The Executive Council will decide upon all issues by a majority vote of all members present and voting. The President shall vote only in case of a tie vote of the Council. This procedure shall be used for all voting except for when the AFL-CIO Rules Governing State Central Bodies or AFL-CIO Committee on Political Education Rules are required.

(b) No member of the Council shall cast his or her votes by proxy.

(c) Executive Council meetings shall be open to any member of an affiliated body. Meeting notices will be printed in the Iowa AFL-CIO News and/or the Political Action Update prior to the meeting.

Section 5. A quorum of the Executive Council shall be 50% + 1 of its members.

Section 6. Notification of all meetings of the Executive Council shall be in writing at least ten (10) days prior to such meeting date.

Section 7. A special convention of this Federation may be called by a two-thirds (2/3) majority vote of the entire Executive Council.

Section 8. In the event an elected Officer of this Organization is absent from two (2) consecutive meetings of the Executive Council, without an acceptable excuse to said Council that office shall be declared vacant and filled by the Executive Council, until an election can be held at the next regular scheduled convention of the Iowa Federation of Labor, AFL-CIO.

Section 9. The President shall appoint five members of the Executive Council to a standing Ethical Practices Committee. The Iowa Federation of Labor shall adopt and conform to the Ethical Practices Code of the AFL-CIO. Said Code shall be made part of this Constitution. All officers and managerial employees of the state Federations shall comply with said Ethics Practices Code. All officers and staff must pledge to abide by the anti-harassment and anti-discrimination policy and code of conduct by the Iowa Federation of Labor.

## **ARTICLE V**

### **Duties of Officers & Executive Council**

Section 1. The President shall be the Chief Executive Officer of this Federation, and shall preside at all meetings of this Federation, preserve order and appoint all convention committees, with approval of the Executive Council, other than the Credentials/Roll Call, Rules and Resolutions Committees, which shall be at his or her discretion.

#### **THE PRESIDENT SHALL:**

(a) Issue the call for the annual convention of the Federation at least sixty (60) days prior to the opening of the Convention.

(b) Be the legislative representative and the fraternal delegate to conventions of neighboring State Federations of Labor and delegate to the American Federation of Labor and Congress of Industrial Organizations Conventions.

(c) In the event it is impossible to serve as fraternal delegate, the President may appoint a member of the Executive Council to represent the Federation.

(d) Provide for membership and public education and the research necessary for the performance of the Federation's proper functions and shall have authority, with the approval of the Executive Council, to employ such educational and research assistance as is deemed necessary and to pay for the same out of the funds of the Federation.

(e) As legislative representative be knowledgeable with all matters pertaining to labor legislation.

(f) Have authority, with approval of the Executive Council, to employ such legislative assistance as is deemed necessary during the sessions of the Iowa State Legislature and to pay same out of the funds of the Federation.

(g) Interpret the Constitution and direct and exercise general supervision of the work of the Federation between conventions, subject to the approval of Executive Council. At the end of the official term turn over all books, papers and other property belonging to this Federation to successor in office.

(h) The President's compensation shall be determined by the Iowa Federation of Labor, AFL-CIO Executive Council at the council meeting prior to the annual convention. Other compensation shall be forty-two dollars per day (\$42.00), or the I.R.S. allowable per diem when traveling out of state, plus hotel room, with receipt attached while away from the home office, plus cents per mile in the amount allowable by the I.R.S. when using own transportation, otherwise, actual expense of any other type of transportation. Any other expense incurred by the President shall be submitted in an itemized form for approval by the Executive Council.

(i) The President shall be empowered with the approval of the Executive Council, to employ regular employees necessary to carry out the work of the Federation and be empowered to employ such part-time or temporary employees as are necessary to carry out the work of the office.

Section 2. The Office of the Secretary-Treasurer shall be a full-time position. The Secretary-Treasurer's compensation shall be \$2,000 less than the President's compensation, per year, payable weekly. Other compensation shall be calculated in the same manner as is the President's.

**THE SECRETARY-TREASURER SHALL:**

(a) Keep a record of the proceedings of this Federation and shall cause the same to be printed and distributed.

(b) Not later than the twentieth (20th) day of January and July of each year, forward to the Executive Council a statement of receipts and expenditures for the preceding six (6) months together with the number of Unions admitted, withdrawn and suspended.

- (c) Forward to the mail receiving officer of each affiliated Local Union, suitable blanks for the purpose of ascertaining the name and address of the president and secretary thereof, and the number of members on which per capita tax is being paid monthly.
- (d) Cause all money belonging to the Federation to be deposited in such banks as designated by the Executive Council and cause records to be kept of each deposit made.
- (e) Cause a complete set of books and records to be kept in the Federation office as prescribed by the Executive Council. Pay out no money without a proper bill. All payments shall be made by check, countersigned by the President.
- (f) Furnish canceled checks for each item of expense to the Auditors.
- (g) Pay travel or other expense of officers or staff employees upon presentation of properly executed vouchers.
- (h) Be the Acting Education and Research Director of the Federation.
- (i) Be responsible to promote the political and legislative program under the direction of the President and the Executive Council.
- (j) Spend full time, if possible, at the State House when the State Legislature is in session.
- (k) Keep an accurate record of the vote of each State Senator and Representative and members of Congress on bills and amendments to bills of interest to labor. Such records shall be summarized and printed in proper form and distributed to the affiliated organizations.
- (l) Have printed in suitable form, the reports which are required of the Officers.
- (m) At the end of the official term deliver to successor in office, all books, funds, and property belonging to the Federation.
- (n) Perform such other duties as may be required by the President and Executive Council.

Section 3. The Federation vice presidents shall be elected positions. Executive Council compensation shall be per section 10 below.

The Executive Council members shall:

- (a) Attend all meetings of the Iowa Federation of Labor, AFL-CIO
- (b) Approve audits as otherwise stated in this Constitution
- (c) Approve budgets as otherwise stated in this Constitution
- (d) Approve convention committee assignments, unless otherwise stated in this Constitution
- (e) Approve distribution of per capita tax to Iowa Federation of Labor funds

- (f) Fill vacancies of officers as otherwise stated in this Constitution
- (g) Serve as members of the News Board
- (h) Approve convention city
- (i) Review convention resolutions
- (j) Approve exoneration of local unions as otherwise stated in this Constitution
- (k) Approve staffing for educational and research assistance
- (l) Discuss suspension and reinstatement matters as otherwise stated in this Constitution

Section 4. Duties of District VP

- a) Convene a District meeting of affiliate and ALO/CLC leaders at least twice yearly to plan & implement political and legislative activity, and for training.
- b) Collect and report issues and priorities from District leaders to provide to the State Federation Executive Council, and report state issues and priorities to District leaders after Executive Council meetings.

Section 5. Effective July 1, 2002, the Iowa Federation of Labor, AFL-CIO will participate in the AFL-CIO Staff Retirement Plan for all full-time employees.

Section 6. In the event of a vacancy in the Office of the President, by reason of death, resignation or recall, the Office will be filled by the Secretary-Treasurer temporarily. The Secretary-Treasurer shall, within ten (10) days of the date of the vacancy, call a meeting of the Executive Council, who will appoint a successor until an election can be held at the next regular scheduled annual convention of the Iowa Federation of Labor, AFL-CIO. Any subsequent vacancy on the Council may be filled by the Executive Council at the same meeting.

Section 7. In the event of a vacancy in the Office of Secretary-Treasurer, Vice President at Large or Auditor, by reason of death, resignation or recall, the vacancy shall be filled by the Executive Council until an election can be held at the next regular scheduled annual convention of the Iowa Federation of Labor, AFL-CIO.

- (a) The President shall call a meeting within ten (10) days of the date of the vacancy to fill such vacancy. Any subsequent vacancy on the Council may be filled by the Executive Council at the same meeting.

Section 8. In the event of a vacancy in the Office of ALF/District Vice President, the Executive Council shall have the power to fill the vacancy for the period of the unexpired term. Such successor will be chosen from the district from which the vacancy occurred, with recommendation from the district involved until an election can be held at the next regular scheduled annual convention of the Iowa Federation of Labor, AFL-CIO.



Section 9. The Auditors shall examine the books and accounts of the Federation in January, April, July, and October of each year and shall certify as to the correctness of the accounts. They shall furnish the Executive Council of the Federation with a copy of their report and statements which shall include all financial assets of the Federation. In the event of a change in the Office of the Secretary-Treasurer, there shall be an immediate audit of all accounts.

Section 10. As compensation for their services, all Council members, Committee members and Auditors - - with the exception of the full-time Officers and those Council members, Committee members and Auditors who are compensated by their Local Union and/or International Union - - shall receive twenty (\$20.00) per day or their lost time, whichever is greater, and twenty-five (\$25.00) per diem plus hotel room, with receipt attached, and cents per mile in the amount allowable by the I.R.S. when using their own transportation, otherwise, actual expense of the type of transportation used. Any other expense incurred by these members shall be submitted in an itemized form to be approved by the Executive Council. This shall be construed to mean that there will be no dual payment to any Council member, Committee member or Auditor.

Section 11. The Executive Council of this Federation is authorized to buy or lease automobiles for its full-time officers and to establish procedure for proper maintenance and use of these automobiles.

## **ARTICLE VI**

### **Charges and Appeals**

Section 1. The Executive Council shall have power to suspend or remove from office any officer found guilty of conduct unbecoming, malfeasance, or maladministration of his or her office or who may be found guilty of violating any of the provisions of this Constitution. The Executive Council shall exercise such power of discipline, suspension, or removal from office only after:

- (a) Filing written charges with the accused, and
- (b) Granting the accused adequate hearings before the Executive Council after due and proper notice.
- (c) A two-thirds (2/3) vote of the Council shall be required to suspend or remove from office.
- (d) Any officer so suspended or removed may appeal the action of the Council to the next regular convention of the State Organization, but shall remain suspended or removed until action is taken by the convention reversing the decision of the Executive Council.
- (e) The charging party shall have the right to appeal the decision of the Executive Council in the event discipline is not administered.
- (f) The parties shall have the right to appeal of the Executive Council's decision to the Iowa Federation of Labor, AFL-CIO annual Convention, provided that, if said convention is more

than ninety (90) days after the decision in question, the parties may exercise their right of appeal under sub-section (g) below, instead of appealing to the convention.

(g) Parties shall have the right to make a final appeal to the National President of the AFL-CIO, subject to the Constitution and other rules of the AFL-CIO.

Section 2. The Executive Council shall have the further authority to refuse to seat or to remove from office, by two-thirds (2/3) vote, any member of the Executive Council who is found by the Council to consistently pursue policies and activities directed toward the achievement of the programs or the purposes of authoritarian, totalitarian, terrorist or other movements that suppress individual liberties and freedom of association. The Executive Council must act only after written charges, notice and hearing.

## **ARTICLE VII**

### **ALF/District Division**

Section 1. For the purpose of the geographic Executive Council representation, the State of Iowa shall be divided into Districts coinciding with the four Area Labor Federation boundaries. The representation shall be subject to adjustment by the Executive Council at any time boundaries of Area Labor Federations change or are altered.

## **ARTICLE VIII**

### **Finances**

Section 1. The revenues of this Federation shall be derived through monthly per capita tax payments from affiliated organizations and from other authorized sources. Per capita tax payments must be received at least thirty (30) days prior to the convening of a convention in order to be credited for calculating voting strength at that convention.

(a) Effective January 1, 2021 per capita tax of Local Unions shall be one dollar and ninety-one cents (\$1.95) per member per month on the total working membership. Each succeeding January 1<sup>st</sup>, the per capita tax of Local Unions shall be increased by the amount of increase as measured by the Consumer Price Index (Urban) as published by the U.S. Department of Labor and shall be based on the twelve month period beginning July 1<sup>st</sup> of each year and ending June 30<sup>th</sup> of the following year. The per capita tax shall be rounded to the next highest penny. The resulting increase in per capita tax shall be divided among the various funds by the Executive Council. The computed amount and the amount divided among the various funds by the Executive Council shall automatically be added to the stated per capita tax in Article VIII, Finances, Section 1 and Section 2 of the Constitution. Said per capita tax to be forwarded not later than the fifteenth (15<sup>th</sup>) day of the month on the membership of the previous month.

(b) A Local Union paying per capita tax on less than its full dues-paying membership employed in the State of Iowa as required by the Rules of the AFL-CIO shall be subject to suspension by the Executive Council. Before taking such action, the Local Union shall be given written notice that such action is being considered and the Local Union shall be

accorded an opportunity to be heard by the Executive Council of the Iowa Federation of Labor, AFL-CIO.

(c) Per capita tax payments shall be forwarded to the Federation by the affiliated organizations. However, State or District organizations may remit the tax for their respective Local Unions, in which case they shall supply the names of the Local Unions together with the number of members being reported on from each Local Union.

(d) State Organizations, Area Labor Federations, Local Chapters, Local Trade Councils, Iowa Alliance for Retired Americans and AFL-CIO constituency groups shall pay a yearly membership fee of twenty-five dollars (\$25.00) payable in advance during the month of July.

Section 2. Twelve cents (.12) per member per month of all per capita tax payments shall be used for registration, education and get-out-the-vote.

(a) Fourteen cents (.14) per member per month of all per capita tax payments shall be placed in a Newspaper Fund to be administered by the Newspaper Corporation Trustees who are the Executive Council members of this Federation plus two additional members.

(b) Two cents (.02) per member per month of all per capita tax payments shall be used for Iowa Labor History Oral Project. This will remain in effect until project is completed.

(c) Sixteen cents (.16) per member per month will be placed in the Iowa Committee on Political Education, AFL-CIO Fund.

(d) All other revenues derived from sources provided for in this article or from all other sources, except Chapter funding provided for in Article XVI, shall be placed in a General Fund. The Executive Officers shall, at the first meeting of each calendar year, submit to the Executive Council for approval a proposed budget for the ensuing year. After adoption of such budget, it may be amended only by action of the Executive Council.

(e) If, at any time, the amount in the General Fund exceeds a sum necessary for the proper operation of the Federation, such excess shall be invested in United States Government Bonds, Certificates of Deposit, Money Market Account or a savings account in the bank(s) that the Federation does business with. Such bonds and CDs shall be placed in a safety deposit box rented for that purpose in the bank in which the Federation's funds are on deposit. Interest from these financial instruments shall become a part of the General Fund.

Section 3. The State Federation must obtain a bond in an amount equal to no less than 10% of its revenue in the prior fiscal year.

Section 4. The President, upon confirmation of the Executive Council, shall appoint two members of the Executive Council, who are not Trustees, to serve as signatories to the State Federation's checking account, in addition to the President and the Secretary-Treasurer. These two signatories shall serve only as needed, in the absence or infirmity of one of the two Principal Officers.

## **ARTICLE IX**

## **Suspensions**

Section 1. When an affiliated organization is in arrears in the payment of per capita tax or membership fees for a period of three (3) months, it shall be suspended. However, such organization in arrears shall have thirty (30) days notice before suspension becomes effective.

Section 2. A Local Union or other organization which has been suspended, or which has withdrawn from membership, may be reinstated by payment of all amounts due at the time of suspension or withdrawal and the current per capita tax or annual fee. This amount shall not exceed three (3) months per capita tax plus the current month. With the approval of the Executive Council, the President may allow a Local Union to re-affiliate by paying the current month only. However the average membership of a reinstated local union for purposes of roll call voting shall be computed from the date of reinstatement as if it were a newly affiliated local union. A union that has been suspended for nonpayment of per capita tax may pay only the amounts in arrears but cannot pay for additional months to increase voting strength.

## **ARTICLE X**

### **Strikes and Benefits**

Section 1. Where Local Unions are unable to pay per capita tax due to strike, lockout, lay-off, or for any other reason, such local unions shall be exonerated from per capita tax payments to the State Federation for a reasonable period of time, upon approval of the Executive Council and subject to approval by the respective International Union, AFL-CIO. Exonerated members shall be regarded, for purposes of this Constitution, as paid up members for the period of exoneration. The voting strength of a Local Union on roll call votes for months that it has been exonerated, shall be the average number of members on which per capita tax has been paid to this Federation over the one (1) year immediately preceding the exoneration.

Section 2. The Iowa Federation of Labor shall not take part in any collective bargaining activities or in any dispute, including strikes, except upon the request or consent of the aggrieved union or organizing committee or in the case of a local union directly affiliated to the AFL-CIO, except upon the request or consent of the AFL-CIO President.

Section 3. The Iowa Federation of Labor shall have no power or authority to initiate a boycott. The Iowa Federation of Labor can endorse and provide support for a boycott campaign of an affiliate. The Iowa Federation of Labor can place an employer on an "unfair" or "do not patronize" list, if the proper conditions apply as outlined in the regulations below, and that all such action be taken only on written request of the aggrieved union or in response to an action of the AFL-CIO.

When such action is requested by an aggrieved union, the Iowa Federation of Labor shall be governed by the following regulations:

- a) The Secretary-Treasurer of the AFL-CIO, or her/his designated agent shall be notified in writing of all boycott requests, whether local, regional or national in scope.

- b) Disputes affecting contractual interest of other unions – if the requested action is directed against an employer which has a contract or working agreement with any union or unions affiliated with the AFL-CIO, other than the aggrieved union, then the written consent of such other union or unions shall be required. If such consent is not given, no further action shall be taken by the Iowa Federation of Labor except as authorized by the President or by the Executive Council of the AFL-CIO.
- c) Local Disputes – If the requested action is directed against an employer for a dispute arising within the area of jurisdiction of the Iowa Federation of Labor which does not involve the contractual interest of other AFL-CIO unions, the Iowa Federation of Labor may take the requested action if, in its judgment, such action is warranted and shall provide written notice to Secretary-Treasurer of the AFL-CIO when a boycott is terminated.
- d) Disputes in areas of other area labor council or central councils – If the requested action is directed against an employer for a dispute arising wholly outside the jurisdiction of the Iowa Federation of Labor, no action shall be taken unless the AFL-CIO and the area labor council, central labor council or state central council in whose area the dispute arose has first acted favorably on the request of the aggrieved union in keeping with applicable rules.
- e) National and regional disputes – if the requested action is directed against an employer for a dispute which is national or regional in scope, no action shall be taken by the Iowa Federation of Labor unless the affiliated national or international union involved has first secured approval of the AFL-CIO.”

## **ARTICLE XI**

### **Communications**

Section 1. The President, in cooperation with the Executive Officers, with due regard to finances available, shall carry out through any medium available a program which shall assist and promote the objects and principles to which Organized Labor is dedicated.

Section 2. In an effort of communication the Executive Council shall produce a political report on the Iowa Legislature and the Iowa Federation of Labor’s efforts and opinions of current legislation. The Report will be published in the Iowa AFL-CIO News.

## **ARTICLE XII**

### **Conventions**

Section 1. The regular conventions of this Federation shall be held annually. The convention shall be held during the months of July, August, September or October. In the even-numbered years (national and state election years), a one (1) day Committee on Political Education (C.O.P.E.) convention shall be held prior to the Iowa Primary Election day. The Executive Council shall select the city in which the convention will be held. Delegates wishing the convention to be held in their city shall furnish proof in writing that such facilities needed are available to take care of all delegates and the convention. The Executive Council

may change the city in case of emergency. All conventions must be held in Union establishments if available.

Section 2. Representation. No person shall be eligible to serve as a delegate to conventions of this Federation unless he or she is a member of a Local Union affiliated with this Federation. Further, no delegate shall be seated except upon presentation of proper credential from an affiliated organization in good standing, which credential shall be examined and attested to by the Credentials Committee as to the eligibility of the delegate and the standing of the organization sending the delegate.

(a) The basis of representation and the allowed voting strength in the convention of this Federation shall be:

From State Organizations - - one delegate with one vote.

From Area Labor Federations - - one delegate with one vote.

From Local Trade or Industrial Councils - - one delegate with one vote.

From Iowa Alliance for Retired Americans - - one delegate with one vote.

From AFL-CIO constituency groups - - one delegate with one vote.

From Chapters – one delegate with one vote.

(b) Each Local Union shall be entitled to the number of delegates according to the following scale:

Members	Delegates
1 – 149	1
150 – 249	2
250 – 349	3
350 – 449	4
450 – 549	5
550 – 649	6
650 – 749	7

(c) One (1) additional delegate for each one hundred (100) members thereafter.

(d) The voting strength of a Local Union on roll call votes shall be the average number of members on which per capita tax has been paid to this Federation over the one (1) year immediately preceding the issue of the Convention Call. The average membership of the Local Union, which has affiliated within the past year, shall be computed from the month of affiliation and shall be determined by dividing the total per capita tax for all months affiliated by twelve (12).

(e) The votes of a Local Union shall be divided among all of its registered delegates and each delegate present shall be entitled to cast only the assigned number of votes except that, to

facilitate the calling of the roll, one delegate may be designated to cast all of the votes of the delegates representing his or her Local Union provided that, if any delegate from that Local Union shall challenge the correctness of the votes so cast, the individual delegates of that Local Union shall be polled. If any Local Union fails to designate the number of votes assigned to each of its delegates from said Local Union, the Secretary-Treasurer of the Iowa Federation shall divide the total number of votes of said Local Union as equally as possible among the registered delegates of that Local Union.

(f) Delegates shall only represent the local union in which the delegate is a member in good standing, unless the delegate was selected to represent local bodies chartered by the trade and industrial departments of the AFL-CIO, or state or local chapters of the AFL-CIO constituency groups within the geographical limits of the council that are chartered by a national AFL-CIO constituency group.

(g) No delegate shall be permitted to cast the proxy of another delegate and no delegate shall be allowed to represent more than one organization.

(h) Except on roll call votes, each delegate shall be entitled to one vote.

(i) A delegate from a Local Union may carry the vote of any city, county or state organization if the delegate is a member of a Local Union affiliated with such body.

(j) Should any registered delegate be required to leave the convention under emergency conditions, he or she may - - upon notification to the Credentials Committee - - be empowered to assign his or her votes to the remaining delegates of his or her Local Union. Such action shall be reported to the convention by the Credentials Committee.

(k) The time will be set for the closing of registration at 5 p.m. on the first day of the convention, except in case of emergency - - then the registration may be made at the discretion of the delegates assembled.

(l) Fraternal delegates shall be honorary members of all conventions of this Federation provided that they are members in good standing of bona fide Labor Organizations.

(m) All Local Unions affiliated with this Federation are urged to also affiliate with the Local Central Body and their respective Trades Council where such exist, provided that said Local Trades Councils are directly chartered by the National Trades Council in their respective departments of the American Federation of Labor and Congress of Industrial Organizations.

### Section 3. Resolutions.

Resolutions may be submitted to the convention by the Executive Council and shall bear the signature of the President and Secretary of the Federation. Resolutions may be submitted by an affiliated body of the State Federation of Labor providing that such resolutions - - properly signed by the President and another principal officer of the affiliated organization - - are received by the State Federation of Labor twenty-one (21) days prior to the convening of the convention; all resolutions as received shall be placed in the hands of the Executive Council.

(a) All Resolutions submitted by the deadline and not in conflict with the National AFL-CIO Constitution and Rules will be stamped with the name of the standing committee to which they are tentatively assigned. All committee changes will be reported to the convention. The appropriate committees will consider the Resolutions before them and report to the convention with their recommendation.

(b) Any person or persons wishing to submit a resolution after the convening of the convention must have the consent of two-thirds (2/3) of the delegates assembled. State Organizations or Councils may submit resolutions during the first day of the Iowa Federation of Labor, AFL-CIO Convention before the hour of Noon.

#### Section 4. Standing Rules

(a) Thirty percent (30%) of delegates present may demand a roll call vote on any question before the convention. Election of Officers shall be by roll call when there is more than one candidate for each vacancy.

(b) Robert's Rules of Order, in its latest edition, shall be considered as authority on all questions of order not covered by the rules submitted to and accepted by the convention by the Rules Committee.

(c) Visitors may be excluded from the hall by a majority vote of the delegates present.

(d) The Executive Board of the Iowa Federation of Labor shall approve the hours of the convention.

(e) Each delegate when asking for the floor must give his or her name, city, Local Union number and National or International Union.

(f) On motion, the regular order of business may be suspended by a two-thirds (2/3) vote of the members at any time to dispose of any urgent business.

Section 5. Credentials. Delegates' credentials to the convention of this Federation, should be forwarded to the Federation not later than twenty-one (21) days prior to the time of the convention.

(a) Each duly accredited delegate to the annual convention shall be assessed a registration fee, the money to be placed in the general fund to help defray the cost of the convention. Registration fee must accompany credentials when completed and returned to the Federation. Each January, the Executive Council will establish the registration fee for the following annual convention, taking expenses of the convention into consideration.

(b) CREDENTIALS NOT RECEIVED WITHIN THE PRESCRIBED TIME WILL BE ACCEPTED ONLY BY A MAJORITY VOTE OF THE DELEGATES SEATED.



(c) All credentials shall be properly signed by the President and Secretary or authorized Officers of the organization they are to represent. Duplicate credentials shall be placed in the hands of the delegates for presentation at the convention. The credentials of delegates at large from State Organizations and Local Central Bodies must contain the name of the Local Union and the number of the same of which the delegate is a member.

(d) A Credentials Committee of five (5) shall be appointed by the President from among the delegates elected. Said committee, together with the Secretary-Treasurer, shall meet on the day previous to the convention in the convention city. They shall examine the credentials and submit their report at the opening of the first session.

Section 6. Committees. There will be two types of committees: Convention Committees and Standing Committees.

The President shall appoint the Chairperson and delegates for each Convention Committee, with approval of the Executive Council, unless otherwise stated in this Constitution, the following convention committees:

1. Committee on Appeals and Grievances
2. Committee on Credentials/Roll Call
3. Committee on Constitution
4. Committee on Resolutions
5. Committee on Rules
6. Sergeant at Arms

Convention Committees will meet strictly to conduct the business of the convention. Convention Committees will only meet if they have business to conduct regarding the convention. These committees will be made up from delegates and the IFL President will appoint the Chair of each committee.

In addition to the Convention Committees, the Federation Standing Committees shall include:

1. Building Trades Committee
2. Community Services Committee
3. Ethical Practices Committee
4. Federal Unions
5. Human Rights
6. Industrial/Private Sector Unions Committee
7. Organizing Committee
8. Public Employees Committee
9. Veterans Committee

Standing Committees will meet throughout the year prior to convention. They will not meet during convention unless committee determines a need. These committees will provide a written report that will be presented at convention and printed in the convention book. The Chairs of these committees will be appointed by the IFL President. Standing Committee members do not have to be delegates to the convention and should include rank and file

members. To be appointed to a Standing Committee you must present a letter of recommendation from your President/Business manager. Additional Standing Committees can be added if there is a need and the group is willing to meet throughout the year. New committees must be approved by the President and Executive Council.

(a) All committees shall have a Chairperson and Secretary.

(b) It shall be mandatory for all convention committees, with the exception of the Credentials Committee and the Rules Committee, to meet the first day of convention and take action on any matters referred to them for their report to the convention. It shall be the duty of the Chairperson of each Committee to call his or her meeting at a place designated by that Chairperson.

(c) Any Committeepersons called in early to work on a committee will be compensated the same as a member of the Executive Council for service prior to starting the convention.

Section 7. Parliamentarian. Immediately after the convening of any regular or special convention of the Iowa Federation of Labor, AFL-CIO, the Chairperson of the convention shall appoint a Parliamentarian to assist in the parliamentary procedures necessitated by the actions and circumstances of such convention.

## **ARTICLE XIII**

### **Nominations and Elections**

Section 1. The President shall appoint an Election Committee composed of ten (10) delegates prior to the election subject to the approval of the convention. No candidate for any office shall be eligible to serve on the Election Committee.

Section 2. Candidates for the Office of President, Secretary-Treasurer, Eighteen (18) Vice Presidents at Large, three Auditors, and Next-Up Vice President shall be placed in nomination on the first day of the convention at 11 a.m.

Section 3. Nominations for the Office of President, Secretary-Treasurer, Eighteen (18) Vice Presidents at Large, three Auditors, and Next-Up Vice President shall be made from the floor of the convention and nomination speeches shall be limited to five (5) minutes. After the nominations are closed, the Election Committee shall take charge of the election. The election of Officers shall be held on the Convention floor at 9:30 a.m. on the third day of the convention. Where there is only one candidate for any office, he or she shall be elected by acclamation.

(a) If more than two delegates are nominated for any office and none of the nominees receives a majority of the votes cast for said office, then all but the two receiving the highest number of votes shall be eliminated and a run-off election shall be held under the direction of the Election Committee in the same manner as the original election.

(b) Immediately after the roll call votes have been counted in either the final or run-off election, the Chairperson of the Election Committee shall announce the results. In the event of a tie vote for any office, the Election Committee shall immediately recount the votes in dispute and the Chairperson shall again announce the results. Wherever the results show a tie, the Election Committee shall immediately prepare a new roll call, involving the names of the candidates involved in the tie, together with the office they are seeking in election and proceed with the run-off election and announce the results at the earliest possible moment. In the event of a second tie, the outcome shall be determined by the toss of the coin to resolve a tie if the rerun results in a second tie.

(c) After the election, the Chairperson of the Election Committee shall request of the convention whether or not there is any delegate who did not receive his/her proper number of votes in said election. At that time delegates will have an opportunity to raise any objections they may have. If none are raised, the Chairperson shall close such business, and no further discussion will be held on the matter.

(d) Delegates from State Organizations, Councils, Iowa Alliance for Retired Americans, Area Labor Federations and chapters thereof, and AFL-CIO constituency groups shall cast such votes only for the Offices of President, Secretary-Treasurer, eighteen (18) Vice Presidents at Large, three (3) Auditors, and Next-Up Vice President.

(e) The delegates of the Four Districts shall meet following the announcement of the final election results, or sooner if possible, for the purpose of selecting the representative of their respective group. No District meeting shall be called with less than two hours notice. Such notice shall be given to the delegates from the convention floor. They shall elect their representative by credentials in each district.

(f) The Secretary-Treasurer shall notify each local union when their credentials are mailed for the convention call, how many votes they may cast in each district, based on the computerized mailing list at least sixty (60) days, but not more than ninety (90) days prior to convention. A Local Union shall be able to cast one vote for each member that resides in the district for whom per capita tax is paid to the Iowa Federation of Labor, AFL-CIO. For those members who reside outside of the State of Iowa, a Local Union may cast one vote for each member for whom per capita tax is paid to the Iowa Federation of Labor, AFL-CIO, in the district which is directly across the state line (i.e. those who reside in Rock Island, Illinois would vote in the same district as Davenport, Iowa).

(g) If more than two delegates are nominated for any office and none of the nominees receives a majority of the votes cast for said office, then all but the two receiving the highest number of votes shall be eliminated and a run-off election shall be held under the direction of the Election Committee in the same manner as the original election. The candidate receiving the highest number of votes shall be declared elected. At the convening of the convention on the last day, each District shall submit to the convention the name of the representative of their group for approval or rejection. If any District fails to submit to the convention the name of their representative, then such vacancy shall be filled as provided in Article V, Section 6.

(h) Nominated candidates for District Vice President shall be:

(a) In good standing in their Local Union.

(b) A resident of or work within the District from which they are nominated.

(i) If an Area Labor Organization chartered by the National AFL-CIO in the state of Iowa does not provide a policy or process in its constitution for choosing the organization's representative to the IFL Executive Board, the Principal Executive Officer of the Area Organization will serve in this capacity. If he/she is unable to serve, or declines to serve, the Area Organization delegate body will elect its representative in accordance with the organization's constitutional election procedures. All the Area Organizations' representatives shall be submitted as nominees to the IFL Convention and their nominations will be acted upon in the same manner as other nominees to the board.

(j) The delegates who are also officers or board members of the Iowa Alliance for Retired Americans shall meet following the announcement of the final election results, for the purpose of selecting their representative, who shall be a member of a union affiliated with the Iowa Federation of Labor, AFL-CIO, and shall also be one of the highest eligible officers of the Iowa Alliance for Retired Americans such as a President, Vice-President, Secretary, Treasurer or executive board member. At the conclusion of this meeting, they shall submit to the convention the name of the representative of their group for approval or rejection.

(k) In order to comply with this Constitution in the selection of not more than one member from any International Union to the office of President, Secretary-Treasurer, and eighteen (18) Vice Presidents at Large and no more than two members of an International Union to the Executive Council, the following order of sequence in determining who shall be a member of said Council shall govern:

(l) President, Secretary-Treasurer, Vice Presidents at Large, the Area Labor Federation/District Vice Presidents, the Vice President representing the Iowa Alliance for Retired Americans, and the Next-Up Vice President. The sequence for which the District Vice Presidents will be reported and elected, shall be determined by the drawing of numbers of their respective districts.

(m) When two members of the Council from any International Union have been elected or selected, no further names of members of that International Union shall be accepted to be members of the Executive Council.

(n) The election of Officers to the Iowa Federation of Labor, AFL-CIO shall be held at the annual convention every four years beginning in 1973.

(o) The official term of all the elected Officers shall begin at the close of the Convention at which they are elected and shall continue for four (4) years or until their successor or successors are duly elected and qualified. Full-time Officers of the Federation shall receive their full pay and benefits until the end of the month in which they are defeated or retire.

(p) The Executive Council will serve as the first level of protest of an election. The Election Committee Chair shall have custody of the ballots and other election records until any appeal period is exhausted or until the National directs to the contrary.

(q) The Officers and Auditors shall be delegates to the Iowa Federation of Labor, AFL-CIO conventions, and they shall be compensated for attending such convention, as provided elsewhere in this Constitution and By-Laws. All Officers and Auditors of the Iowa Federation of Labor, AFL-CIO shall carry one vote by virtue of their office, with full rights.

(r) Individuals designated as President Emeritus shall be convention delegates and each shall carry one vote.

## **ARTICLE XIV**

### **Oath of Office**

Section 1. I, (giving name), do solemnly pledge my word and honor before these witnesses that I will, to the best of my ability, perform the duties of the Office to which I have been elected. I pledge to abide by the ethical practices code of the AFL-CIO and the anti-harassment and anti-discrimination policy and code of conduct of the Iowa Federation of Labor. At the close of my official term, I will turn over all books, papers and all other property of the Federation to my successor.

## **ARTICLE XV**

### **Amendments**

Section 1. This Constitution and By-Laws may be amended only at a regular convention of this Federation upon a two thirds majority vote of all delegates present and voting, providing such amendments do not conflict with the National Constitution of the AFL-CIO or its rules and regulations. All amendments shall be subject to the approval of the President of the AFL-CIO.

## **ARTICLE XVI**

### **Chapters**

Section 1. Chapters may be constituted by the Executive Council of the Iowa Federation of Labor, or by an Area Labor Organization or Central Labor Council, if one of these bodies determines an organization presence is needed in a specific geographic area within its jurisdiction.

Section 2. Chapters shall have the right to one delegate and one vote at the State Federation convention.

Section 3. Chapters may be authorized by their parent body to enact bylaws consistent with their parent body's constitution and policies; elect a chapter president and secretary-treasurer; hold meetings of representatives of local unions within the chapter's geographic jurisdiction and make recommendations to the Chapter's parent body (State Federation, Area

Labor Organization, or Central Labor Council), to the extent that the parent body makes provision for such actions.

Section 4. Chapters may not assess a per capita or membership fee. The Iowa Federation of Labor may solicit earmarked contributions for the purpose of assisting Chapters of the State Federation. The State Federation will deposit such contributions in the general fund, but will maintain and report on a separate budget line item for the dedicated income and expenses for the Chapters.

Section 5. In accordance with the endorsement procedure, for the Iowa Federation of Labor, the chapter may endorse candidates running for local public office (city, county, and school board offices) and local issues within the chapter's geographic jurisdiction and may screen, interview, and recommend to its parent body, candidates for state and federal office but such recommendation is not binding on the parent body.

## **Addendum A: Ethical Practices Code for AFL-CIO Officers and Representatives**

1. Every AFL-CIO officer and managerial employee, whether elected or appointed, has a high fiduciary duty and sacred trust to serve the best interests of the members honestly and faithfully.
2. No AFL-CIO officer or managerial employee should own or have a personal financial interest which conflicts with the full performance of his or her fiduciary duties. In particular:
  - (a) No AFL-CIO officer or managerial employee shall have any substantial financial interest in any firm which bargains collectively with the AFL-CIO or with any directly affiliated local union of the AFL-CIO ("DALU").
  - (b) No AFL-CIO officer or managerial employee shall own or have a substantial financial interest in any firm which does business or seeks to do business with the AFL-CIO or any DALU.
  - (c) For purposes of these rules, a "substantial interest" is one which either contributes significantly to the individual's financial well-being or which enables the individual to affect or influence the course of corporate decision making. A substantial interest does not include stock in a purchase plan, profit-sharing plan or ESOP.

- (d) An AFL-CIO officer or managerial employee shall not be deemed in violation of these prohibitions with respect to any investments, which are held in a mutual fund or a blind trust.
3. No AFL-CIO officer or managerial employee shall accept any *non-de minimis* personal payment of any kind from an employer which bargains collectively with the AFL-CIO or any DALU, or from a business or professional enterprise which does business or seeks to do business with the AFL-CIO or any DALU, other than regular pay and benefits for work performed.
  4. No AFL-CIO officer or managerial employee shall receive compensation of any kind from a fund established for the provision of retirement, health or welfare benefits for serving as an employee representative or labor-designated trustee on such employee benefit fund or plan, except for reasonable reimbursement of expenses provided uniformly to such representatives or trustees. A benefit "fund" or "plan" for purposes of this provision means a fund or plan sponsored by the AFL-CIO or a DALU, or in which the AFL-CIO or a DALU participates. It is not a violation of this provision for an officer or managerial employee who is not a full-time employee of the AFL-CIO to be a lawfully paid employee of a retirement, health or welfare fund.
  5. No AFL-CIO officer or managerial employee who serves in a fiduciary position with respect to, or who otherwise exercises responsibilities or influence in the administration of, a retirement, health or welfare benefit fund or plan shall have any substantial financial interest in any investment manager, insurance carrier, broker, consultant or other firm doing or seeking to do business with the fund or plan. A benefit "fund" or "plan" for purposes of this provision means a fund or plan sponsored by the AFL-CIO or a DALU, or in which the AFL-CIO or a DALU participates.
  6. No AFL-CIO officer or managerial employee shall convert any property belonging to the AFL-CIO to the individual's personal advantage.
  7. Every AFL-CIO officer and managerial employee shall carry out his/her AFL-CIO office or appointment in a manner that gives full recognition, in connection with affairs of the AFL-CIO, to the right of union members to assemble freely, attend AFL-CIO meetings, express views, arguments and opinions, nominate candidates for AFL-CIO office, run for AFL-CIO office and vote in AFL-CIO elections, except to the extent such rights are limited by provisions in the constitution and laws of the AFL-CIO and/or relevant AFL-

CIO entity. No AFL-CIO officer or managerial employee shall penalize, discipline or otherwise interfere with or retaliate against any union member for exercising such a right in connection with affairs of the AFL-CIO.

No person who is convicted of any felony involving the infliction of grievous bodily injury, any crime of dishonesty or any crime involving abuse or misuse of such person's position or employment in a labor organization or an employee benefit fund shall serve as an AFL-CIO officer or managerial employee.

8. This Code shall be enforced by the following process:
  - (a) The President of the AFL-CIO shall appoint a standing Ethical Practices Committee (EPC) consisting of four members of the AFL-CIO Executive Council, serving on a rotating basis, and an elected AFL-CIO Executive Officer.
  - (b) Charges of violations of this Code may be filed only by a member of a union affiliated with the AFL-CIO and must be accompanied by substantiating documentation. Such charges shall be referred to the EPC for review and recommended disposition. A charge alleging the existence of a substantial financial interest by a nonemployee officer of the AFL-CIO in violation of Section 2(a) or 2(b) of this Code shall be dismissed administratively where it is established that the individual in question recused himself or herself from any and all decision making with respect to the firm or firms involved.
  - (c) The EPC shall have the authority to investigate and, where the EPC finds reasonable cause to believe that a violation of the Code has occurred, to bring the matter to an appropriate hearing before an impartial hearing panel drawn from within the AFL-CIO, if the matter is not otherwise resolved.
  - (d) All charges and investigations shall be kept confidential unless and until the EPC finds reasonable cause to bring the matter to a hearing. The EPC shall adopt reasonable measures to ensure that confidentiality is maintained, including enforceable sanctions for breach of confidentiality.
  - (e) Fundamental due process shall be afforded to the individual charged in connection with any such hearing.
  - (f) Following completion of the hearing, the hearing panel shall issue a written decision containing its findings and recommendations to the AFL-CIO President and Executive Council.



Where a violation is found, the recommendations shall include an appropriate disposition and/or recommended penalty up to and including removal from service as an AFL-CIO officer (in accordance with procedures of the AFL-CIO Constitution) and/or employee.

- (g) The Executive Council shall have the final decision in the matter and shall permit the individual charged a reasonable opportunity, upon request, to present his or her position to the Council prior to rendering a final decision.
- (h) There shall be no retaliation against any AFL-CIO officer, representative or employee for filing a charge alleging a violation of this Code.

9. The substance and procedures of this Code shall be binding upon each AFL-CIO State Federation and Central Labor Council with respect to its own officers and managerial employees, subject to the following:

- (a) Wherever reference herein is made to the AFL-CIO, the corresponding reference shall be to the particular State Federation or Central Labor Council only.
- (b) References herein to a directly affiliated local union of the AFL-CIO (DALU) shall not apply.
- (c) Each State Federation or Central Labor Council is responsible for enforcing the substance of this Code through its own Ethical Practices Committee and through procedures consistent with those set forth in paragraph 9 above, subject to review by the AFL-CIO pursuant to Article XIII, Section 3 of the AFL-CIO Constitution.
- (d) This Code is not intended to address the dealings and conduct of State Federation or Central Labor Council officers and employees in their other capacities as officers, representatives, employees or members of separate labor organizations, whether or not affiliated with the State Federation or Central Labor Council.

**ADDENDUM B: “Approved by the AFL-CIO Executive Council – March 14, 2017  
Anti-Discrimination and Anti-Harassment Policy and Complaint Procedure for AFL-CIO  
State, Area, and Local Central Bodies**

**Policy Statement**

The Iowa Federation of Labor, AFL-CIO is committed to providing all its employees with a workplace free from discrimination and harassment. The Iowa Federation of Labor, AFL-CIO does not discriminate against or allow harassment of any employee because of the employee's race, ethnicity, religion, color, sex, age, national origin, sexual orientation, disability, gender identity or expression, ancestry, pregnancy, or any other basis prohibited by law, or based on the employee's protected activity under the antidiscrimination statutes (that is, opposition to prohibited discrimination or participation in the statutory complaint process). The Iowa Federation of Labor, AFL-CIO reaffirms that it will not tolerate discrimination or harassment in any form. This prohibition covers any discrimination or harassment in the workplace, regardless of whether the discrimination or harassment is committed by a supervisor, officer, co-worker or non-employee, such as a vendor, consultant, employee or officer of an affiliate, or invitee to an Iowa Federation of Labor, AFL-CIO -sponsored activity, event, or meeting.

## **Definitions**

### **A. Discrimination**

It is discrimination for an employer to base any decision regarding the terms or conditions of employment on an employee's race, ethnicity, religion, color, sex, age, national origin, sexual orientation, disability, gender identity or expression, ancestry, pregnancy, or any other characteristic protected by law.

### **B. Harassment**

Harassment consists of unwelcome verbal, visual, or physical conduct that is based on another person's race, ethnicity, religion, color, sex, age, national origin, sexual orientation, disability, gender identity or expression, ancestry, pregnancy, or any other characteristic protected by law. It may include, but is not limited to, actions such as use of epithets, slurs, negative stereotyping, jokes, or threatening, intimidating or hostile acts that relate to sex, race, ethnicity, age, disability, or other protected categories. Harassment may also include written or graphic material that denigrates or shows hostility toward an individual or group based on protected characteristics, whether that material is sent by email, placed on walls, bulletin boards, computer screens or other devices, or elsewhere on the premises or circulated in the workplace.

Unwelcome conduct can constitute harassment if:

- It has the purpose or effect of unreasonably interfering with an individual's work performance;
- Creates an intimidating, hostile, or offensive working environment; or
- Submission to the conduct is made either explicitly or implicitly a term or condition of an individual's employment.

### **C. Sexual Harassment**

Sexual harassment can involve unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature. It can involve conduct by a person of either gender toward a person of the same or opposite gender.

The following is only a partial list of sexually harassing conduct:

- Explicit sexual propositions
- Offering employment benefits in exchange for sexual favors
- Making threats or retaliating after a negative response to sexual advances

- Sexual innuendo or sexually suggestive or sexually degrading comments about a person's body, sex life, sexual prowess, or sexual deficiencies
- Sexually oriented jokes, derogatory comments, epithets, slurs, or catcalls
- Obscene language, letters, notes, or invitations (including by email)
- Physical contact such as touching or impeding movements
- Conduct such as leering or making sexual gestures
- Displaying or distributing pornography or other sexually suggestive objects, pictures, cartoons, or posters (including by email or viewed or shared on a work computer or other device)
- Sexual content in text messages

Unwelcome sexual conduct can constitute harassment if:

- It has the purpose or effect of unreasonably interfering with an individual's work performance;
- Creates an intimidating, hostile, or offensive working environment;
- Submission to the conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
- Submission to or rejection of the conduct by an individual is used as the basis for tangible employment actions taken toward her or him.

### **Complaint and Investigation Procedure**

As a means of ensuring a workplace that is free from discrimination and harassment, the Iowa Federation of Labor, AFL-CIO has established a formal procedure for the handling of discrimination or harassment complaints. This procedure is intended to supplement – not to replace or supersede – the other procedures available to employees under any applicable collective bargaining agreement, Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or any other applicable federal, state, or municipal fair employment practices law, or otherwise.

#### **A. General Principles**

The Iowa Federation of Labor, AFL-CIO strongly encourages you to come forward with a complaint at the earliest possible point. You should not wait to report harassment until it becomes severe and pervasive. The Federation is committed to stopping discrimination and harassment even if the conduct has not risen to the level of a violation of law.

If you feel comfortable doing so, you should respond to the discriminatory or harassing conduct in a way that demonstrates that the conduct is unwelcome. However, you are not required to complain directly to the offending individual.

Efforts will be made to investigate and resolve complaints promptly, thoroughly and impartially, and in as confidential a manner as is possible consistent with proper investigation of the complaint.

If a person is accused of discrimination or harassment, he or she shall not play any role in administering or making decisions under this procedure.

If an individual is determined to have engaged in discrimination or harassment, appropriate corrective action will be taken promptly, and appropriate sanctions will be imposed, up to and including termination.

There will be no retaliation or other adverse action taken against an individual who makes a complaint, reports an incident of apparent discrimination or harassment, or who provides information in the course of the investigation of such a complaint or report. Any such retaliation can also be the subject of a complaint under this procedure. If retaliation in fact occurred, prompt and appropriate corrective action will be taken and appropriate sanctions imposed, up to and including termination.

## **B. Procedure**

The procedure for dealing with complaints of discrimination or harassment is as follows:

1. If you believe that you have been the target of discrimination or harassment, the Iowa Federation of Labor, AFL-CIO encourages you to report the alleged incident(s) as soon after the incident occurs as possible to [designee], or any supervisor or manager. If the person accused of discrimination or harassment is [designee], you may submit your complaint to another officer, manager, or supervisor of the Iowa Federation of Labor, AFL-CIO to handle the complaint.

You are not required under this procedure to complain directly to the offending individual.

It is the responsibility of any manager or supervisor who receives a complaint to inform [designee] of the allegations so that a prompt investigation may be conducted.

2. Complainant shall provide [designee] with a description of the alleged discrimination or harassment in as much detail as possible, including description of what occurred and the dates, times, and places of the incident(s). Complainant also should provide the names of individuals who he or she believes have information relevant to the investigation. [Designee] may request that this information be provided in writing.
3. Where appropriate and possible, [designee] may attempt to resolve the matter informally.
4. If informal efforts are not appropriate or successful, [designee] will conduct an investigation to determine whether or not discrimination or harassment has occurred.
5. During the course of the investigation, [designee] will inform the individual alleged to have engaged in discrimination or harassment of the complaint, and will give her or him the opportunity to respond to the allegations and to submit the names of individuals who she or he believes have information relevant to the investigation.
6. The investigation may include meeting with the complainant, the accused, and other individuals who may have relevant information. Relevant documents may also be reviewed. The investigation will be conducted promptly, thoroughly and impartially, and in as confidential a manner as is possible consistent with proper investigation of the complaint.
7. If necessary, the Iowa Federation of Labor, AFL-CIO will take steps to ensure that discrimination or harassment does not occur during the period of investigation.

8. At the conclusion of the investigation, [designee] shall make a determination of whether discrimination or harassment occurred.
9. If the investigation establishes that discrimination or harassment has occurred, the Iowa Federation of Labor, AFL-CIO will take prompt and appropriate action. This may include corrective action designed to end and to remedy the discrimination or harassment and to prevent it from reoccurring. Action may include imposition of discipline on the discriminator/harasser, ranging from reprimand to discharge if that person is an employee. If the discriminator/harasser is an employee or officer of an affiliate, the Iowa Federation of Labor, AFL-CIO may inform the affiliate, including the affiliate's international, of the investigation and findings and request further disciplinary actions be taken by those entities. If the discriminator/harasser is a delegate to the Iowa Federation of Labor, AFL-CIO or otherwise would be subject to disciplinary procedures under the Iowa Federation of Labor, AFL-CIO Constitution or Bylaws or the Rules Governing AFL-CIO State Central Bodies/AFL-CIO Area Labor Councils and Central Labor Councils, those disciplinary procedures may be invoked. If the discriminator/harasser is an employee of a vendor, consultant, or any other employing entity, the Iowa Federation of Labor, AFL-CIO may inform that employing entity of the investigation and findings and request further disciplinary actions be taken by that entity. Iowa Federation of Labor, AFL-CIO will take all possible steps to ensure that the complainant is no longer subject to the discrimination or harassment.
10. The Iowa Federation of Labor, AFL-CIO will inform both the complainant and the accused of the outcome of the investigation and in general terms of any measures taken to correct the discrimination or harassment.
11. If the investigation establishes that discrimination or harassment has occurred, [designee] will ensure that the discrimination or harassment has not resumed and that neither the complainant nor any other individual has been subjected to any retaliation for having complained of the discrimination or harassment, reported an incident of apparent discrimination or harassment, or provided information during the investigation.

This policy and procedure applies to all employees.

If you have any questions about this policy and procedure or if you want additional information concerning complaints of discrimination or harassment, the Iowa Federation of Labor, AFL-CIO encourages you to contact [designee].

If you believe you are the target of discrimination or harassment, you also may have a right to file a charge under Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or other applicable federal, state, or municipal fair employment practices law. There are deadlines for filing charges of discrimination or harassment with the EEOC or state or municipal fair employment practices agencies. Those deadlines generally run from the last date of discrimination or harassment, not from the date the complaint to the Iowa Federation of Labor, AFL-CIO is resolved. Contact the EEOC or other applicable state or municipal fair employment practices agency if you want more information about filing deadlines.

If you have any questions or issues with the response to your complaint, you may contact the National AFL-CIO Governance Director or staff. Nothing in this Policy, however, shall create an employment relationship between the AFL-CIO and employees of the Iowa Federation of Labor, AFL-CIO.”