

LIUNA Latino Caucus

By-Laws of the LIUNA Latino Caucus

Background

1. In 1996 the Laborers' International Union of North America (LIUNA) announced the creation of a Minority Advancement Department. The Department was formed to address the concerns of the growing minority membership within the union and to develop links with minority communities around the country.
2. In June 2001, General Chairman Terence M. O'Sullivan appointed the Minority Advancement Advisory Committee. Since that time members of the Advisory Committee have met and formed minority caucuses. One of the caucuses formed was the Latino Caucus.
3. The formation of the Latino Caucus is designed to give expression to the common needs and interest of Latinos and immigrants within LIUNA. It is designed to carry the message of our union into the broader Latino and immigrant Community and thereby to facilitate organizing for LIUNA and to increase the political influence of our union.
4. The goal and objectives of the Latino Caucus are to promote the plans and objectives as set forth by LIUNA.
5. At no time will activities of the Caucus conflict with meetings or functions of LIUNA. Moreover, the caucus must refrain from taking any position in conflict with that of the International Union.
6. Membership in the Caucus of any member shall be terminated upon the occurrence of any of the following events:
 - (a) Resignation of the member from the Caucus.
 - (b) The determination by the Executive Board or a committee so authorized by the Executive Board to make such a determination if the member has failed in a material and serious degree to observe the rules of the Caucus, or work towards its stated objectives and purposes, or has engaged in conduct materially and seriously prejudicial to the interest of the Caucus.
 - (c) Termination or loss of LIUNA membership.

Article 1: Name

The name of the caucus is the "LIUNA Latino Caucus" ("Caucus" herein).

Article 2: Nature.

The Caucus is intended to be an unincorporated, non-profit association, tax-exempt under Article 501(c) (5) of the Internal Revenue Code of 1986.

Article 3: Purposes

To identify, promote and support social, economic and political justice for Latinos and immigrants within LIUNA for the purpose of advancing and sustaining the causes of all members and potential members of LIUNA.

Article 4: Membership

(a) The Caucus' membership shall be restricted to those who are members of the Laborers' International Union of North America. The members of the Caucus shall have the right to participate in deliberations and to vote on all matters coming before the body.

(b) Membership of any member may be terminated by the Executive Board if it has been determined that a member has failed to work towards the stated objectives and purposes or has engaged in conduct materially and seriously prejudicial to the interest of the Caucus.

Article 5: Meetings

(a) The general membership of the Caucus shall meet at least once each year. In between general membership meetings of the Caucus, its affairs shall be governed by its Executive Board. The annual meeting shall be held at a time and location designated by the Executive Board. Notice of the annual meeting shall be sent by mail, facsimile or electronic mail.

(b) The Executive Board shall meet twice a year, or more often, as convened by the Chairman of the Caucus. Written notice of each meeting shall be delivered (by hand-delivery, certified or general delivery mail, facsimile, or electronic mail) by the Secretary to each member of the Executive Board. Such notice shall be given at least fourteen (14) calendar days in advance of the proposed meeting date, except that less notice may be given in the event that the Chairman determines that there is an emergency requiring an urgent meeting.

Article 6: Officers

(a) The officers of the Caucus shall be a Chairman, Vice President, Secretary, and Treasurer. The officers and five (5) additional members shall form the Executive Board of the Caucus. The Executive Board shall be elected at the annual membership meeting of the caucus and shall serve a term of two (2) years.

(b) The Chairman of the Caucus shall preside over all meetings of the Caucus and its Executive Board.

(c) In the absence of the Chairman, the Vice President of the Caucus shall preside over meetings of the Caucus or its Executive Board.

(d) The Secretary shall keep the minutes and non-financial records of the Caucus.

(e) The Treasurer shall keep all of the financial records of the Caucus.

Article 7: Governance

(a) Action of the Caucus shall be taken at general membership meetings of the Caucus or at meetings of its Executive Board. Action at a meeting or by telephone poll may be taken only if a majority of those participating vote in favor of the action.

(b) The Caucus acting at a general membership meeting or through its Executive Board shall have the authority, power, discretion and responsibility to take any and all action that it deems appropriate to advance its purposes, including the authority, power, discretion and responsibility:

- (1) To see to it that the affairs and business of the Caucus are properly conducted;
- (2) To establish appropriate rules, regulations, policies, and procedures governing the operations of the Caucus that are not inconsistent with these bylaws;
- (3) To determine the means and priorities for advancing the purposes of the Caucus;
- (4) To commit and expend the Caucus' assets;
- (5) To delegate authority, powers, discretion, and responsibilities to its Officers individually or acting collectively as its Executive Board or to other employees or agents;
- (6) To employ staff, and to retain professional advisors and other service providers, if appropriate;
- (7) To perform the functions and responsibilities provided elsewhere in the Agreement;
- (8) To enforce the claims of the Caucus and to defend claims against the Caucus;
- (9) To reimburse and advance from the Caucus' assets the reasonable and actual expenses incurred by Committee Members and Caucus staff in performing authorized services for the Caucus; and
- (10) To establish one or more accounts in a bank or other depository in the name of the Caucus.

(c) The LIUNA General Executive Board, plus additional members as recommended by the Caucus Executive Committee and accepted by the LIUNA General Executive Board, shall serve as an Advisory Board to the Caucus.

Article 8: Funding

- (a) The Caucus shall be funded by any or all of the following, as applicable, sources:
- (1) Dues or assessments of members or their affiliated Local Unions designated for support of the Caucus;
 - (2) LIUNA and or affiliated organizations i.e. LECET, etc.
 - (3) Contributions or grants from any other source that is lawful and consistent with the tax-exempt status of the Caucus;
 - (4) Fund-raising activities appropriate to the Caucus and its objectives; and/or
 - (5) Investment gains and income realized from the investment of funds so received.

Article 9: Accountability

(a) All of the funds of the Caucus shall be deposited and held in such bank or other depository account(s) as the Executive Board shall establish in the name of the Caucus until withdrawn, transferred or disbursed upon the authority of the Executive Board.

(b) No withdrawal, transfer, or disbursement shall be made from the Caucus' account(s) except by check or order signed by both the Chairman and the Treasurer. If either the Chairman or Treasurer is unavailable, the Vice President may provide a co-signature.

(c) The Caucus shall maintain appropriate and accurate financial books and records, including records of all receipts and disbursements. The Treasurer shall have primary responsibility for ensuring the maintenance of such books and records, and shall act as the custodian of all records of the Caucus. All such books and records shall be open to reasonable inspection by any member of the Executive Board.

(d) The financial books and records of the Caucus shall be audited annually by a certified public accountant designated by the Committee. The books and records of the Caucus shall be subject to audit by LIUNA.

(e) The Treasurer shall have primary responsibility for ensuring that all governmental reports required of the Caucus are prepared and filed.

(f) The Chairman shall issue an annual written report on the Caucus' operations, activities, accomplishments, and finances.

(g) The Caucus shall not undertake any obligations that cannot be supported by its income.

Article 10: Dissolution of the Caucus

(a) The Caucus shall be dissolved upon the first occurrence of any of the following events:

- (1) The Executive Board dissolves the Caucus; or
- (2) By a majority vote of the membership at the annual meeting or special call meeting of the membership; or
- (3) LIUNA directs the Signatory Labor Organizations to dissolve the Caucus.

(b) In the event of dissolution, all of the assets of the Caucus, if any, remaining after satisfaction of the Caucus's just debts shall be transferred to another non-profit organization dedicated to the ideals and the mission of the Caucus.

Article 11: Anti-Inurement (No Personal Benefit)

Under no circumstances, including dissolution of the Caucus, shall the net earnings of the Caucus inure to the benefit of any individual or entity except to the extent permitted under Article 501(c) (5) of the Internal Revenue Code of 1986 and any other applicable law.

Article 12: Effective Date

The Effective Date of these Bylaws is . As soon as possible after the Effective Date, the Chairman shall call and convene an initial meeting of the Committee.

Article 13: Amendment

The Bylaws may be amended only by a vote of two-thirds of the Caucus acting at a general membership meeting or of the Executive Board.

Acknowledgment of Agreement

The Caucus hereby acknowledges these bylaws by the authorized signatures below:

Edison Severino
Chairman

Rocco Davis
Vice President

Mike Quevedo, Jr.
Secretary

Jerry Morales
Treasurer

Sergio Rascon
Executive Board Member

John Delgado
Executive Board Member