

# UNITE HERE LOCAL 5



## BYLAWS

Effective April 1, 2007  
Amended September 18, 2019

**ARTICLE I  
NAME AND OBJECT**

**Section 1.** This organization shall be known as UNITE HERE Local 5, Honolulu, Hawai'i, affiliated with UNITE HERE International Union.

**Section 2.** The purpose of this organization shall be to organize all persons working under its jurisdiction; to establish and maintain equitable wage scales and working conditions; to elevate the moral, social and intellectual standing of its members; to guard their financial interests; to promote their general welfare and the Local's cardinal principles of truth, justice and morality; to secure employment for its members and to uphold the dignity of Labor; and to assist employers in the hotel, motel and restaurant industries in all legitimate ways.

**Section 3.** Wherever a masculine pronoun occurs in these bylaws, it shall be deemed to include the feminine pronoun.

**ARTICLE II  
MEMBERSHIP**

**Section 1.** Membership of this organization shall consist of an unlimited number of workers primarily in the hotel and restaurant industries who agree to abide by the Bylaws of this Local, the ritual and Constitution of the UNITE HERE International Union, as now in effect or as they may thereafter be amended.

**Section 2. Acquiring Membership.** A person eligible for membership and working within the jurisdiction of this Local Union, making application for membership, shall become a member of this Local and the International Union upon receipt of the membership application and the dues and fees which may be required.

**Section 3.** Whenever a member of this Local becomes a manager not working in the craft of this Local Union, an owner or proprietor or a working member of another international union, and not employed under the jurisdiction of this International Union, he may be accepted for or hold membership in this Local Union only as a passive member, provided such person maintains no affiliation with a proprietors' organization hostile to this International Union.

(a) Passive members shall not be entitled to voice or vote or to attend meetings of this Local Union. They shall be ineligible for election to any office in this Union or any position as a delegate representing this Union.

(b) Passive membership is hereby declared a privilege, revocable at will by the Executive Board of the Local Union.

(c) Any member desiring to change his membership status from passive to active or active to passive must appear before the Executive Board and such change of status can only be granted upon the approval of the Executive Board. At any time the Executive Board of this Local determines that an active member's status has changed under the guide lines of this section, the Executive Board shall be empowered to change the member's status from active to passive and

shall so notify the member of his status change.

**Section 4. Recall to Active Military Service:** In the event a member of this Local Union is recalled to active military service due to a prior military commitment, that member shall be permitted to withdraw from the Local Union at no cost to the member. Upon return from active service such member shall be reinstated to membership in good standing at no cost to the member.

**Section 5.** Pursuant to Article 14, Section 2 of the International Constitution, individuals shall be automatically withdrawn from membership who for more than two years have not worked within UNITE HERE's jurisdiction, and no dues shall be accepted from such individuals except for passive membership.

### **ARTICLE III LOCAL MEETINGS AND CONVENTIONS**

**Section 1. Executive Board Meetings.** The Executive Board, the governing body of this Union, shall meet monthly as enumerated in Article IX, Section 5 of the Bylaws. A majority of the Executive Board shall constitute a quorum.

**Section 2. Local Delegates Convention.**

(a) The Executive Board shall determine the conventions date, venue and agenda.

(b) The Local Delegates Convention shall be held annually on date(s) specified by the Executive Board.

(c) One-third (1/3) of the elected delegates must be present at the convention to constitute a quorum.

(d) Executive Board members by virtue of their elected office shall serve as convention delegates, with the Executive Board members serving as delegates-at-large with voice and vote.

**Section 3. Special Membership Meeting(s).** Special membership meeting(s) may be called upon the request of the Executive Board or Financial Secretary-Treasurer or by petition of 300 members in good standing. The Financial Secretary-Treasurer shall notify the members of such special meeting and the business to be conducted. Twenty-five (25) members, including one qualified to preside shall constitute a quorum for the transaction of business.

**Section 4.** Delegates and members shall be expected to attend all meetings called for them when possible and to take an active interest in the affairs of the Union.

### **ARTICLE IV OFFICERS**

**Section 1.** The officers of the Local shall be the President, Senior Vice-President,

Financial Secretary-Treasurer, three (3) Trustees and nine (9) elected Executive Board members, one each from the Hospital Division of the Hotel Division (except food and beverage), the Food and Beverage Division, the County of Hawai'i, the County of Kaua'i, and the County of Maui. The County of Maui shall include one (1) additional member of the Board if either of the Island of Moloka'i or the island of Lana'i maintains a membership of 200 or more at their respective islands. The three (3) Executive Board members-at-large represents all members including Pacific Region or non-Hawai'i members.

**Section 2.** All officers, agents, shop stewards and other representatives or employees of the Local Union or of any trust in which this Local Union is interested, who handle funds or other property, shall be bonded for the faithful discharge of their duties in accordance with the requirements of applicable Federal and State law and Article 21, Section 3 of the International Constitution. If the premiums on said bonds are not paid by International Union, then they shall be paid by the Local Union.

## **ARTICLE V NOMINATION AND ELECTION**

**Section 1.** (a) Election of officers shall be held every three (3) years. To be eligible, nominated and hold office, a member must:

1. Have been an active member in continuous good standing with this Local Union, and;
2. Have his/her dues fully paid for a period of twenty-four (24) consecutive calendar months preceding the month that nominations are held.

An active member in continuous good standing shall mean that a member's dues are fully paid for the twenty-four (24) consecutive months period immediately preceding the month that nominations are held.

No member who has authorized his employer to withhold dues from his compensation shall be declared ineligible to vote or be a candidate for office by reason of the employer's delay or default in payment or deduction of dues.

(b) In order for any member to be eligible to be nominated for any office in this Local, he/she must:

1. Be present at the nominating meeting, or;
2. Must have submitted a written statement to the Financial Secretary-Treasurer prior to the opening of nominations, indicating his/her willingness to accept the nomination if his/her name is proposed.

A nominee can only be nominated for one office.

(c) In addition to the requirements of Article V, Section 1(a) and 1(b), in order to be eligible to be a candidate for Executive Board member for the Hotel Division, Hospital Division, Food and Beverage Division and the Neighbor Island County/Island, a member must be working in the Division or in the Neighbor Island/County, as stipulated in Article IV, Section 1 herein for a period of three (3) months immediately preceding the meeting for nominations, except that any

eligible member may be elected to the position of Executive Board member-at-large, trustees or officers of the Local.

**Section 2.** A reasonable opportunity shall be given to the members to nominate candidates for office. Nominations of officers shall be received at a meeting to be held during the month of May 2007, on a day to be determined by the Executive Board, and every three (3) years thereafter. Nominations may also be made by mail, facsimile, or in person from members not residing on the island of O'ahu, provided such nominations are received by the Chairman of the Election Committee on or before the date and time of the nomination meeting.

**Section 3.** The election shall be held by secret ballot during the month of June 2007 on a day to be determined by the Executive Board and every three (3) years thereafter among the members in good standing in this Local Union. No write-in votes shall be permitted.

- (a) To enable Local 5 to conduct the 2019 Officers' election concurrently with the timely election of Delegates to the International Union's convention, the 2019 Officers' election shall be conducted in the month of May, 2019 with nominations in April, 2019 and the appointment of the Election Committee in March, 2019.

**Section 4.** The Financial Secretary-Treasurer, not less than fifteen (15) days prior to the date of nominations, shall mail to each member in good standing at his last known home address a notice of the offices to be filled and the time, date, place and manner of submitting nominations, as well as the time(s), date(s) and place(s) of the election, as decided upon by the Election Committee. The notice shall bear the signatures of both the President and Financial Secretary-Treasurer.

**Section 5.** The election notice and the ballot shall state that the President, Senior Vice-President and Financial Secretary-Treasurer shall serve, by virtue of their offices, as delegates to any International Convention held during their term; and that Executive Board members shall serve, by virtue of their office, as delegates to the Local Delegates Convention.

**Section 6.** In April 2007, and every three (3) years thereafter, an Election Committee of five (5) members in good standing who are eligible to be elected as officers or Executive Board members, the majority appointed by the President and the minority appointed by the Senior Vice-President, shall take charge of the elections and provide safeguards to ensure a fair election. No candidate for office or any officer serving out his term of office shall be eligible to serve on the Election Committee. The Election Committee shall pass on the eligibility of all candidates and their decision shall be subject to appeal to the International Presidents in accordance with Article 12, Section 2 of the International Constitution. The Election Committee shall determine whether the voting shall be conducted at polling site(s) or by mail ballot or by a combination thereof. The Election Committee shall determine all details of the election process in accordance with the Bylaws and the International Constitution.

**Section 7.** (a) Any group of candidates that wishes to appear on the ballot as a slate shall submit a written request for such designation to the Election Committee at least ten (10) days before the election. If the election is to be conducted by mail ballot, any such request shall be submitted at least ten (10) days before the ballots are scheduled to be mailed to the members.

- (b) A request for designation as a slate shall be approved by the Election Committee

provided that the slate: (i) includes a candidate for at least two-thirds of the separate categories of offices or positions to be filled at the election (including categories which may have been filled by acclamation), and (ii), where two or more places are to be filled in a category of elective offices or positions, includes at least one-half of the number of persons to be elected to each such office or position.

(c) Permission may be withheld by the Election Committee if the slate designation requested is so similar to that selected by another slate as to mislead voters.

(d) Any candidate in an election may appeal to the International Presidents from a decision granting or denying designation as a slate.

(e) If a request for designation as a slate is approved, the ballot shall provide space at the head of the list of candidates so that one vote may be cast for all candidates appearing under such slate. Each candidate in such slate, however, shall in addition have printed opposite her or his name, a space or box in which an individual vote for him or her may be cast and recorded.

**Section 8.** Any candidate shall have the right to have an observer of the election process in accordance with Federal regulations. All observers must be active members in good standing in this Local Union.

**Section 9.** The votes cast by members of this Local shall be counted and the results for each office shall be announced and published separately. The Secretary-Treasurer shall preserve for one year the ballots and all other records pertaining to the election.

**Section 10.** The installation of all officers-elect shall take place within one month following the election, on a day to be determined by the Executive Board. The new officers shall take the pledge set forth in UNITE HERE's Constitution, Article 8, §8. The outgoing officers shall immediately turn over all books, records, property and assets belonging to the Local to the newly installed officers. Every officer-elect shall attend his or her installation meeting, unless the officer elect must be absent because of illness or some other justifiable reason. An officer-elect found to have violated this provision pursuant to a decision on charges filed under these Bylaws may be removed from office.

**Section 11.** (a) When a nominated candidate has been determined to be ineligible for elected office by the Election Committee, his/her objections must be:

1. Filed in writing within ten (10) calendar days, to the Election Committee after being notified of the candidate's ineligibility. Thereafter;
2. The Election Committee shall have ten (10) calendar days to investigate and render a decision.

If the response of the Election Committee does not satisfy the member, in accordance with Article 12, Section 2 of the International Constitution, a written appeal must be filed with the Presidents of the International Union within ten (10) days after notice of the Election Committee's decision.

(b) Objections to the election must be filed within ten (10) calendar days in writing after the close of the election at which time the objecting party may submit their objections in writing to the Election Committee. The objecting party shall provide the Election Committee with witness statements and other evidence to support their objections or charges. Thereafter the

Election Committee shall have twenty-one (21) calendar days to render their decision in writing.

Failure of the Election Committee to respond within twenty-one (21) calendar days or after reviewing a response from the Election Committee that does not satisfy a member filing objections, a written appeal, in accordance with Article 12, Sections 2 and 3 of the International Constitution, may be filed with the President of the International Union within ten (10) calendar days.

## **ARTICLE VI VACANCIES**

**Section 1.** Vacancies in any office shall be filled for the unexpired term by appointment of the Financial Secretary-Treasurer, subject to approval of the Executive Board.

**Section 2.** In the event of a vacancy in the office of Financial Secretary-Treasurer, such vacancy shall be filled for the unexpired term by appointment of the Executive Board, subject to approval at a Special General Membership meeting, or by the Delegates at the next Local Convention, if scheduled within ninety (90) days from the date of vacancy.

## **ARTICLE VII RESIGNATIONS**

**Section 1.** Officers, with the exception of bonded officers, shall have the privilege of resigning at any regular meeting, provided:

1. No charges are pending against them, and
2. Their resignations are submitted in writing.

**Section 2.** Resignations of bonded officers may be accepted if the resignation is:

1. Presented, in writing, at least one meeting before they are acted upon, and;
2. If the Board of Trustees reports that the financial accounts of the Local are in proper order, and;
3. There are no charges pending.

## **ARTICLE VIII DELEGATES INTERNATIONAL AND LOCAL UNION**

**Section 1.** Where permitted, delegates to all bodies with which the Local votes to affiliate, shall be appointed by the Financial Secretary-Treasurer, subject to approval of the Executive Board.

**Section 2.** Delegates to the International Convention may be nominated and elected at the same time as the regular nomination and election of officers is held if there is an International Convention scheduled during that term of office. In any event, delegates to the International Convention shall be elected not less than forty (40) days prior to the date of the Convention.

**Section 3.** The procedures and requirements including the notice pertaining to the nomination and election of officers, as set forth in these bylaws shall, where necessary, apply equally to the nomination and election of delegates to the International Convention.

**Section 4.** Delegates to the Local Convention shall be elected by secret ballot in October of every odd-numbered year and shall attend the conventions taking place within their terms. The Executive Board shall prescribe the procedures for nominations and elections and the expenses to be paid to delegates. The Executive Board shall determine the areas within each unit delegates will represent and each delegate will be elected by the members in the area he or she will represent. In making this determination, the Executive Board shall (i) ensure overall membership representation and (ii) follow the principle of one delegate per fifty members or fraction thereof in a representational area. Any vacancies occurring between elections shall be filled by special election, majority petition or appointment by the Executive Board, as determined by the Executive Board in its discretion.

(a) The delegates of the Convention shall be the governing body of the Union. In its deliberations, the Convention shall:

1. Determine the budget of the Local Union;
2. Establish goals, objectives, direction and policy for the Union;
3. Make changes to the Bylaws, subject to the approval of the International Union; and
4. Adopt resolutions for the Local Union to consider and implement.

## **ARTICLE IX DUTIES OF OFFICERS**

**Section 1. President.** The President shall perform the following duties:

(a) He shall be a full-time salaried officer of the Union.

(b) He shall preside at all regular and special membership meetings and at all meetings of the Executive Board. He shall take such action as he deems necessary to preserve order and decorum.

(c) He shall appoint the majority of all committees. He shall be a member ex-officio of all committees, except trial and election committees.

(d) He shall co-sign all checks for payment of money from Union funds. He shall sign all documents required by the Union and the International for the protection and welfare of the members.

(e) He shall direct and supervise all membership services. He shall be charged with the responsibility for a program of visitation of sick members and shall inform the Sick Committee as to the names and addresses of sick members.

(f) He shall perform such other duties as the Financial Secretary-Treasurer may from time to time assign him.



(g) He shall, by virtue of his office, be a delegate to the International Union Convention and a delegate to all other bodies with which the Local Union affiliates.

**Section 2. Senior Vice-President.** The Senior Vice-President shall aid and assist the President in the discharge of his duties and in preserving order and decorum in the Local. In the absence of the President, he shall preside over all meetings and, for the time being, be invested with the same power as though he were President. In the absence of either the President or the Financial Secretary-Treasurer, he shall co-sign checks and documents. He shall perform such other duties as may be consistent with his office. He shall appoint the minority of all committees. He shall, by virtue of his office, be a delegate to the International Union Convention and a delegate to all other bodies with which the Local Union affiliates.

**Section 3. Financial Secretary-Treasurer.** The Financial Secretary-Treasurer shall be the chief executive officer of the Local Union. He shall perform the following duties:

(a) He shall be a full-time salaried officer of the Union.

(b) He shall keep a complete record of all committees established pursuant to these by-laws. He shall take a true and faithful record of the proceedings of the Local Union's meetings, and preserve them in the form of official minutes and/or verbatim transcripts. He shall call the roll of all officers present at all meetings and record the attendance in the minute book.

(c) He shall assign tasks and direct the organizational work of all staff members. He shall visit, or cause to be visited under his direction and supervision, all establishments under contract with this Local. He shall do his utmost to enlarge the membership of the Union and to maintain congenial relations between employers and members of the Union.

(d) He shall employ or terminate business agents and other employees needed by the Union, whose remuneration shall be set by the Executive Board, subject to membership approval.

(e) He shall be the official representative of the Local Union in all collective bargaining with employers for wages and working conditions. He shall serve as chairman of all negotiating committees. He may delegate his negotiating authority to a duly authorized representative of the Local Union who shall act under his direction and supervision.

(f) He shall keep, or cause to be kept under his direction and supervision, a complete and accurate set of books in such a manner that they will show all of the business transactions of the Union; its income and expenditures, its assets and liabilities.

(g) He shall make a financial report to the Local delegates at the Local Convention, giving an official accounting of all monies collected and expended by the Union.

(h) He shall, when feasible, keep regular office hours for the convenience of the members, as well as the employers, and perform such other duties as may be required of him.

(i) He shall collect, or cause to be collected, all fines, dues, assessments and any other fee due this Union and give official receipt for all of the monies collected. He shall pay the routine operating expenses of the Local by check or by electronic transfer. All checks must be signed by the Financial Secretary-Treasurer and by the President or, in the absence of either, by the Senior Vice President of the Union.

(j) He shall arrange daily deposits in a bank designated by the Executive Board of all funds of the Local Union, except an amount of petty cash to be determined by the Board.

(k) He shall have charge of and attend to all official correspondence of the Union, impress the seal thereon and keep on file a copy of all such correspondence. He shall attend to all clerical work of the office, unless otherwise provided for. He shall counter-sign all working and withdrawal cards and such other documents required by the Local Union.

(l) He shall keep, or cause to be kept under his direction and supervision, a list of names of all members whose dues the Local remits and, on the first day of each month, draw a check for same, writing a receipt and posting to each member's account.

(m) He shall compile, or cause to be compiled under his direction and supervision, the roster of the Local Union as required by Article 5, Section 10 of the International Constitution.

(n) He shall notify all committee members of their appointment.

(o) He shall compile, or cause to be compiled under his direction and supervision, monthly reports to the International Union, as required by Article 18, Section 3 of the International Constitution.

(p) In the absence of the President and the Senior Vice President, he shall call meetings to order and preside until a temporary chairman is elected by the membership.

(q) He shall, by virtue of his office, be a delegate to the International Union Convention and a delegate to all other bodies with which the Local Union affiliates.

**Section 4. Trustees.** The Trustees shall supervise the property of the Local and shall submit an itemized inventory thereof on the first day of each year. They shall audit the books of the Financial Secretary-Treasurer each month and verify the monthly financial reports required by Article 18, Section 3(a) of the International Constitution. They shall certify that the books of all officers desiring to resign are properly balanced and audited and that any of the Local's business which may have been entrusted to them has been properly completed and accepted by the Local before the resignations can be accepted. All books, papers, documents and money which officers or members of the Local may have in their possession shall be made available to the Trustees for inspection at designated times.

**Section 5. Executive Board.** The Executive Board shall consist of the President, Senior Vice-President, Financial Secretary-Treasurer and nine (9) elected Executive Board members as named in Article IV, Section 1 herein. The Executive Board shall perform the following duties:

(a) The Executive Board, between Local conventions, shall be the governing body of this

Union. It shall have complete authority between Local conventions of this Union as may be exercised by this Union under the International Constitution and these bylaws.

A majority of the Executive Board shall constitute a quorum and the Executive Board shall meet monthly. In all matters requiring action by the Executive Board when such Board is not in session, the Board may, upon request of the President, act by telegram, letter or long distance telephone; such action to have the same legal effect as when the Executive Board acts in formal session.

(b) By action of the Executive Board of the Local Union, members of the Board may be paid for their expenses, including wages lost (if any) for attendance at each meeting of the Executive Board.

(c) The Financial Secretary-Treasurer may incur and authorize the payment of the routine operating expenses of the Union. Routine operating expenses include expendable supplies, cell phones, minor equipment (individual computers and ancillary devices, fax machines, low-volume copiers, phone units, bullhorns, adding machines, desktop organizers, etc.), repair and maintenance of buildings and equipment, expense reimbursement per policy and domestic travel for normal union business, campaign materials, and legal and other professional fees.

(d) All other donations and expenditures require approval of the Executive Board or in the case of major financial commitments, the approval of both the Executive Board and a majority vote of Local delegates. Examples of expenditures requiring Executive Board approval are real estate transactions, new construction and major remodeling, computer systems, high-volume copiers, telephone systems, furniture, expense reimbursement policies, expense allowances, travel outside of the United States and Canada, domestic travel for special purposes, policies regarding the lending of employees to other organizations, and policies regarding the expenses of employees borrowed from other organizations.

(e) All real estate transactions, indebtedness in excess of \$500,000 in a single transaction or series of related transactions shall also require the approval of the membership at a convention. All real estate transactions must also conform to the requirements of the UNITE HERE Constitution.

(f) All salaries, wages, compensations or expense allowances for officers, employees, and delegates of this Union shall, when practical, be first recommended by the Executive Board and shall be presented for ratification by a majority vote of Local delegates in convention or special membership meetings.

(g) Any officer or employee of this Local, entitled to a vacation, shall be required to take such vacation within two years after becoming entitled to same. If such officer or employee fails to take such vacation, he shall be deemed to have waived the right to same.

## **ARTICLE X SHOP STEWARDS**

**Section 1. Shop Stewards** will be elected by secret ballot or by majority petition requesting appointment by the Board from the area they seek to represent. The areas to be

represented by shop stewards shall be determined by the Executive Board. They shall serve for a term of two (2) years and may be removed for cause by the Executive Board of the Local. Any vacancies which may occur shall be filled by nominations and elections or by majority petition requesting appointment of the Executive Board. The Executive Board shall prescribe the procedures for nominations and elections.

(a) In general, the duties and responsibilities of a shop steward shall include but not be limited to:

1. To serve as the first line of assistance to their fellow workers in matters relating to contract interpretation, disputes with management, and other work-related matters, as well as to be the first line communication between the members and the Union in matters relating to work-related issues such as contract negotiations and contract enforcement;
2. To assist the business agent or other union representatives in the gathering of facts in any dispute or grievance coming from workers in their area;
3. To attend all meetings called by the Union; and
4. To participate in the program of the Union as determined by the Executive Board.

The Executive Board may modify, add or change the duties and responsibilities for shop stewards as they deem necessary for the proper representation of the membership and may fill vacancies between all elections in accordance with the terms of this section.

## **ARTICLE XI DUTIES OF MEMBERS**

**Section 1.** Members shall observe secrecy in regard to the business transacted by this Local and shall not discuss the affairs of the Local with non-members.

**Section 2.** Members shall obey all lawful orders of the officers of this Union and the International Union or its representatives.

**Section 3.** Members shall report vacancies in jobs to the Financial Secretary-Treasurer and use their influence to have a good standing member of the Local fill the job.

**Section 4.** Members should report to the Local Union's headquarters for employment; however, membership in the Union does not imply any obligation on the part of the Union to furnish steady and/or extra employment.

**Section 5.** Members shall not work for wages less than the scale adopted by the Union and shall abide by all working conditions contained in the working agreement adopted by the Union. Members must ascertain the wages and conditions to be received and shall immediately report all violations of the contract to the Union office.

**Section 6.** Members compelled to terminate their employment for any reason shall notify

the Local Union.

**Section 7.** All active members shall do such picket duty as may be necessary to bring successfully to conclusion any strikes or organizing programs declared by the Union. The Financial Secretary-Treasurer shall keep a rotating picket list so that all members shall do an equal amount of picketing.

Any active member, refusing to do picket duty when called upon, may take the option to paying the Union an established fee to have someone picket in their stead. If a member refuses to picket or take this option, he shall be subject to charges and, if found guilty, shall be suspended or expelled.

Exempted from picketing or paying an established fee are members who have reached 65 years of age or any member who is sick and cannot work.

## **ARTICLE XII TRIALS AND APPEALS**

**Section 1.** No member of this Local may be fined, suspended, expelled or otherwise disciplined, except for non-payment of dues, by this Local or any of its officers, unless such member has been:

1. Served with written specific charges,
2. Given a reasonable time to prepare his defense, and
3. Afforded a full and fair hearing as set forth in this Article.

**Section 2.** A member or officer of this Local shall be subject to charges and to stand trial when charged with violating these bylaws. The procedures and requirements of said charges, trials and appeals shall be as set forth in this Article.

**Section 3.** The President shall appoint three (3) and the Senior Vice-President shall appoint two (2) members from the Local Union delegates as a trial board to hear the charges and to render a decision. When the accused is found guilty, the penalty may be:

1. A fine,
2. Suspension,
3. Expulsion,
4. Limitation to hold office, or;
5. To attend meetings or any combination of the foregoing, or;
6. Such other penalty as the determining authority may deem appropriate.

**Section 4.** The Financial Secretary-Treasurer shall notify the accused of the charges by sending him a copy thereof by registered mail or by delivering a copy of the charges to the accused personally. The accused shall be notified of the time, date and place of the trial and shall be allowed not less than ten (10) days from the time of such notice for the preparation of a defense. If such charges are amended or supplemented, the accused shall be allowed ten (10) days from the notification of such changes for additional preparation. Each side shall procure the attendance of its witnesses.

**Section 5.** The decision and penalty of the trial board shall be approved or modified at the next regular meeting of the Executive Board before becoming effective, subject to appeal as provided in Article 16, Section 14 of the International Constitution.

### **ARTICLE XIII FINANCES**

**Section 1.** (a) Dues are payable on the first day of each month, and shall be considered late if not paid by the tenth day of each month.

(b) All assessments shall be due and payable in the same manner as set forth above for initiation fees and dues.

**Section 2.** Any member being two calendar months in arrears for the payment of dues, assessments or fines shall be considered automatically suspended. The provisions of Article XI herein shall not apply to such suspension.

**Section 3.** Reinstatement to membership in this Local Union shall be made in accordance with the procedures set forth in Article 13, Section 6 and 11, and Article 17, Section 6 of the International Constitution.

### **ARTICLE XIV AMENDMENTS**

**Section 1.** All proposed amendments to these bylaws must be in writing and recommended by the Executive Board or signed by 300 members in good standing with the Local Union and read at and voted upon at a special meeting or at a Local Convention. A two-thirds majority vote of members present shall be required to adopt an amendment. No amendment shall become effective until approved by the International Presidents. The membership shall be notified after an amendment has been approved by the International Presidents.

**Section 2.** The procedure outlined above in Section 1 shall be fully applicable to amendments providing for an increase in dues, initiation fees or a special or general assessment, except it shall require a majority vote by secret ballot after reasonable written notice of intent to vote on the increase or assessment is given to the membership. The amendment as set forth in the notice is not subject to change after the notice is sent.

**Section 3.** Rules of Order of Business may be amended by two-thirds vote of the membership at a Special Membership Meeting or at a Local Convention.

### **ARTICLE XV INTERNATIONAL CONSTITUTION**

**Section 1.** The terms and provisions of the Constitution of UNITE HERE International Union and any amendments thereto shall be binding upon this Local Union, its officers and its

members as if fully set forth herein. Any provisions of these bylaws which are in conflict with the International Constitution or State or Federal law shall be of no force or effect.

**BYLAWS  
LOCAL 5 HONOLULU, HAWAII**

These are the latest bylaws to govern the activities of Local 5, Honolulu, Hawaii effective April 1, 2007 and Amended September 18, 2019.

Approved by the General Executive Board of UNITE HERE and the Executive Board of UNITE HERE Local 5.

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