



**BY-LAWS**  
**of**  
**LOCAL UNION NO. 891**  
**INTERNATIONAL UNION OF**  
**OPERATING ENGINEERS**  
**AFL-CIO**

Custodians and Custodian Engineers  
Of the Department of Education  
City of New York

REVISED 1939  
AMENDED OCTOBER 4, 1959  
AMENDED MAY 7, 1959  
AMENDED MARCH 4, 1961  
AMENDED DECEMBER 4, 1961  
AMENDED JANUARY 1, 1963  
AMENDED NOVEMBER 5, 1964  
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AMENDED FEBRUARY, 1996  
AMENDED MARCH, 2003  
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AMENDED APRIL 10, 2008  
AMENDED FEBRUARY 6, 2014

## **PREAMBLE**

The purpose of this organization shall be to combine the interests of the School Custodian, School Custodian Engineer and Supervisor of Custodians; to elevate their social, moral and intellectual standing; to guard their financial interests and promote their general welfare; its cardinal principles; truth, justice and morality.

## **BY-LAWS**

### **ARTICLE I**

This organization shall be known and designated as Local Union No. 891, International Union of Operating Engineers, AFL-CIO by virtue of a Charter issued March 26, 1924.

### **ARTICLE II**

The object of this Organization shall be to bring into closer contact its individual members, to educate and elevate them in the profession of steam engineering, refrigeration, waste water treatment and the operation and maintenance of school buildings, buildings and grounds under the jurisdiction of the Department of Education of the School District of the City of New York and to secure working conditions that will be satisfactory to its member.

### **ARTICLE III**

#### **Membership**

**Section 1.** Qualifications for membership in Local No. 891, International Union of Operating Engineers, hereinafter referred to as Local 891, shall be as defined by Article X of the Constitution of the International Union of Operating Engineers, hereinafter referred to as the Constitution. Applicants must be employed by the Department of Education in the City of New York either as a Custodian Engineer, Custodian or any grade who has been promoted or appointed to Chief of Custodians, Borough Supervisor of Custodians or District Supervisor of Custodians from a Civil Service list.

**Section 2.** Applications for membership shall be referred to the Membership Committee.

**Section 3.** Regular membership meetings of Local 891 shall be held subject to Article XXIV of the Constitution.

**Section 4.** All matters relating to dues, remittances, arrearages, charges, reinstatements and trials are subject to Article XXIV of the Constitution.

**Section 5.** Transfer and/or withdrawal cards will be processed subject to Article XV of the Constitution.

**Section 6.** "There shall be no discrimination in membership based on the categories set forth in the New York States Human Rights Law (Executive Law §296 (1))."

## ARTICLE IV

### Officers, Executive Board and Delegates

**Section 1.** Officers, Executive Board members and Delegates shall qualify, be nominated and elected as provided by Article XXIV of the Constitution. Electronic voting shall be permitted as per Article XXIV Subdivision 1. Section (e) of the International Constitution.

**Section 2.** The Elective Officers of this Local shall be Business Manager/President, Vice President, Recording - Corresponding Secretary, Financial Secretary, Treasurer, Three Trustees, Three Auditors, Two Guards and One Conductor.

**Section 3.** The duties of all Officers shall be as defined in Article XXIV of the Constitution.

**Section 4.** The Business Manager/President, Vice President, Recording- Corresponding Secretary, Financial Secretary and Treasurer shall be known as Chair Officers of Local 891.

**Section 5.** The Executive Board of Local 891 shall be composed of all the Chair Officers, one Borough Chairman from each of the five boroughs and four Executive Board members from each of the five Boroughs. The total number of members on the Executive Board shall be thirty. Executive Board members, other than the Chair Officers, shall qualify, be nominated and elected at the same time and in the same manner as the Elected Officers of Local 891 according to Article XXIV of the Constitution. Executive Board members, other than the Chair Officers, must be assigned to a school or office in the borough they are elected in, and must vacate their elected Executive Board membership upon transfer to a different borough.

**Section 6.** "Executive Board members shall perform such duties as prescribed by Article XXIV of the Constitution and as may be assigned by the Business Manager/President."

**Section 7.** The Executive Board shall meet at least once each month from September to June and in addition when summoned by the Business Manager/President or a majority of the Chair Officers.

**Section 8.** Local 891 shall at its regular or a special election, elect a delegate or delegates and alternates to which it is entitled. Delegates to the General Convention of the International Union of Operating Engineers shall be elected according to Article III of the Constitution. All Chair Officers of this local union shall be delegates to the General Convention of the International Union of Operating Engineers.

**Section 9.** In case two or more candidates for the same office shall receive a tie vote at election, a new ballot shall be prepared for that office and a new and second election held within thirty days

## ARTICLE V

### Committees

**Section 1.** The Business Manager/President shall appoint the Chairman of all committees as the Local may direct.

**Section 2.** The Good and Welfare Committee shall consist of seven members, i.e., a Chairman, the five Borough Chairmen and the Financial Secretary. Each Committee member will receive from the Financial Secretary, a list of members and non-members and from time to time will receive further information relative to the members standing in Local 891. It shall be the duty of this Committee to take the necessary steps to protect the members and their families in each borough in the event of sickness, accident or death; to make every effort to convince non-members that it will be to their advantage to become a member of Local 891. Only duly bona fide members of Local 891 shall receive full and adequate protection in event of sickness, accident or death. The Borough Chairman shall be notified by a member taking charge of an indigent member's school.

**Section 3.** The Grievance Committee 891-94/74 shall consist of seven members, i.e., a Chairman, the five Borough Chairmen and one additional member appointed by the Business Manager/President.

**Section 4.** The Membership Committee shall consist of a Chairman, the five Borough Chairmen, Corresponding- Recording Secretary, Financial Secretary and Treasurer.

**Section 5.** The Business Manager/President shall be ex-officio a member of all Committees.

## ARTICLE VI

**Section 1.** The dues for all members of Local 891 shall be 1.4% of their respective pension salary, rounded out to the nearest dollar. Dues shall not be owed or collected on any lump sum retroactive payments resulting from negotiated salary increases.

**Section 2.** All members are urged to be on dues check off.

**Section 3.** Assessments levied by Local 891 shall require a majority vote of the members present and voting at a special meeting called for this purpose after duly authorized notice has been given to the members.

**Section 4.** All assessments shall be paid within sixty (60) days from the date on which assessments are voted.

**Section 5.** All funds of Local 891 shall be deposited in banks to be selected by the Executive Board of Local 891.

**Section 6.** Initiation fee shall be an amount equal to .45% of the full minimum annual pension salary as defined in the most current Local 891/NYC Department of Education collective bargaining agreement rounded to the nearest dollar.

## **ARTICLE VII**

### **Compensation of Officers, Delegates and Committees**

**Section 1.** All Officers, Borough Chairmen, Delegates or Committee Chairmen, elected or appointed by Local 891, shall be reimbursed for their actual expenses in connection with work ordered by Local 891 and shall render an accounting for such expenses to the Recording-Corresponding Secretary for payment.

**Section 2.** Prior to attending same, Local 891 may set, by majority vote, a maximum amount to be allowed for expenses of Delegates to Convention.

**Section 3.** The Business Manager/President's authority to set salaries, including that of the Business Manager, Officers, agents, assistants and staff, shall be subject to the following limits:

**A)** Any Chair Officer or Business Agent working as a salaried employee of this local may receive a total combined annual salary, which cannot exceed by more than 20% the maximum earnings of an individual member of this local from one job assignment. The total combined salary above is defined as the sum of the salary paid to that employee by this local union and any earnings that person receives from an employer for those people on release time from their job assignment for union activities.

**B)** Any Chair Officer not working for the local as a salaried employee shall receive an annual remuneration of a dollar amount equal to 2% of the yearly highest MPR (Maximum Permissible Retainage) as defined in the most current Local 891/NYC Department of Education collective bargaining agreement, payable commencing on July 1 of each year.

**C)** Any other staff member working as a salaried employee of this local shall be paid a salary amount set by the Business Manager, which cannot exceed the highest MPR as defined in the most current Local 891/NYC Department of Education collective bargaining agreement.

## **ARTICLE VIII**

### **Amendments**

**Section 1.** By-laws and standing rules shall not be suspended.

**Section 2.** All amendments, additions or changes to these By-Laws shall be in writing to the Recording-Corresponding Secretary. The Recording-Corresponding Secretary will notify the Business Manger/President that a proposal has been submitted. The Business Manager/President shall form a By-Laws Committee which will consider all proposed



changes and make a recommendation to the Executive Board. The Executive Board shall vote on proposed changes and send endorsed changes to the Recording-Corresponding Secretary who shall read same at the first regular meeting after being submitted, and if said amendments, additions or changes are approved by a majority vote of those present, the amendments, additions or changes shall be brought up at the next regular meeting following, for which a special notice shall be sent to all members in good standing. Any member having submitted a proposal that does not receive the endorsement of the Executive Board retains the right to have their proposal read by the Recording-Corresponding Secretary and voted on as stated above. The vote on said amendments, additions or changes shall be by secret ballot, and shall require a majority vote of those present and voting to be approved. The amendments, additions or changes shall then be submitted to the General President for his approval.

**Section 3.** The Business Manager/President shall appoint a Committee to supervise the balloting and when the balloting is complete, they shall retire and count the ballots and announce the result at the meeting.

**Section 4.** The Business Manager/President shall decide as to how long the ballot box shall be held open after all present have had the privilege to vote.

## **ARTICLE IX**

### **Standing Rules**

**Section 1.** All appeals for assistance from a Local of the I.U.O.E. must bear the seal of the Local making the appeal before they will be considered.

**Section 2.** All appeals for assistance from Locals other than the I.U.O.E. or from Local Joint Executive Board shall be referred to the Executive Board without debate. The Executive Board shall report their recommendation in writing to Local 891.

**Section 3.** No collection for any purpose shall be permitted at any meeting of Local 891.

**Section 4.** In the event of the death of a member, the Treasurer is authorized to expend a reasonable sum for a donation or flowers.

**Section 5.** In the event of the death of a member, the Business Manager/President shall designate members to attend the funeral.

**Section 6.** The Order of Business shall be as defined by the Constitution.

**Section 7.** The failure of any member to comply with Constitution or these By-Laws shall subject him to the penalties as stated in Article XXIV of the Constitution.

**Section 8.** Refer to the Constitution for any subject not covered in these By-Laws. In the event of a conflict between any provision of these By-Laws and the Constitution, the latter will control.

**Section 9.** Roberts Rules of Order, Revised shall be the parliamentary authority on all procedure not covered by these By-Laws or the Constitution.

**BY-LAWS COMMITTEE**

**NOTES:**



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