



# CONVENTION CALL

Official Notice of National Division Convention June 13, 2022

Novi, Michigan  
November 29, 2021

ALL LODGE SECRETARY-TREASURERS

Dear Brothers and Sisters:

The purpose of this letter is to advise you that, in accordance with Article I, Section 5 of the Brotherhood of Maintenance of Way Employees Division's Bylaws, the Fifth Regular National Division Convention of our Brotherhood will convene at Caesars Palace, Las Vegas, Nevada, at 9:00 a.m., Monday June 13, 2022, for the purpose of reviewing the work and accomplishments of the Brotherhood, to consider legislation for the benefit and advancement of the membership, to amend the National Division Bylaws, to elect officers and to act upon such other business as may properly come before the Convention.

## REPRESENTATION

Your attention is directed to Article XVIII, Section 14, Paragraph 1, of the National Division Bylaws, which provides, in pertinent part, that:

“Each Local Lodge in good standing shall be entitled to be represented at the National Division Convention by a delegate or alternate, or a delegate ex officio as set forth in the second paragraph of this Section. However, in the event a Local Lodge elects not to send its own member or delegate ex officio to the National Division Convention, two or more Local Lodges may elect to be represented by a delegate and/or alternate of another Local Lodge in the BMWED from their System Division Federation. No delegate may represent more than five hundred (500) members at the National Division Convention unless such members are all members of one Local Lodge. A delegate or alternate to the National Division Convention may represent as many Lodges as may elect him if the total membership so represented does not exceed five hundred (500) members.”

## EX OFFICIO DELEGATES

Article XVIII, Section 14, Paragraph 2, of the National Division Bylaws governs the selection of ex officio delegates to the National Division Convention and provides as follows:

“All delegates and alternates to National Division Conventions must be elected by secret ballot vote of the members in good standing of the Local Lodge by which they are accredited to the

Convention; provided, however, that National Division Officers shall be delegates ex officio at all National Division Conventions as set forth in Article 1, Section 6, if they are not elected as a delegate by a Local Lodge; and provided, further, that if a General Chairman or elective full time System Division or Federation Officer is not elected as a delegate by a Local Lodge, such General Chairman or such System Division or Federation Officer when designated by the General Chairman will, by virtue of election to such office, be a delegate ex officio at all National Division Conventions (at no expense to the National Division) and accorded the same rights and privileges enjoyed by National Division Officers who are delegates ex officio as set forth in Article 1, Section 6. When National Division Officers or General Chairmen or full time System Division or Federation Officers are delegates ex officio at National Division Conventions, such Officers will be entitled to cast one vote in all matters before the National Division Convention except election of National Division Officers.”

### **ELIGIBILITY REQUIREMENTS FOR ELECTION AS DELEGATE AND ALTERNATE DELEGATE**

Article XVIII, Section 14, Paragraph 3, of the National Division Bylaws sets forth the eligibility requirements to run for delegate and alternate to the National Division Convention:

“All National Division Convention delegates or alternates shall be members in good standing of a Local Lodge in good standing with the National Division, and shall meet the eligibility requirements as set forth in paragraph 4.9 of the Merger Agreement, and be a member in good standing to May 1 of the Convention year.”

Retired Local Lodge Secretary-Treasurers holding such office under the provisions of paragraph 4.11 of the Merger Agreement are **not** eligible to run for delegate or alternate delegate. Retired state Legislative Directors holding such office, and all other BMWED retirees (i.e., those not “actively employed at the craft” as required under Article II, Section 4(a)(1) of the IBT Constitution), are also not eligible to run for delegate or alternate delegate.

### **ELECTION OF DELEGATES AND ALTERNATE DELEGATES**

Article XVIII, Section 14, Paragraphs 2, 4 and 5 of the National Division Bylaws, sets forth the procedures by which delegates and alternates to the National Division Convention are elected:

“All delegates and alternates to National Division Conventions must be elected by secret ballot vote of the members in good standing of the Local Lodge by which they are accredited to the Convention; provided however, that National Division Officers shall be delegates ex officio at all National Division Conventions as set forth in Article 1, Section 6, if they are not elected as a delegate by a Local Lodge; and provided, further, that if a General Chairman or elective full-time System Division or Federation Officer is not elected as a delegate by a Local Lodge, such General Chairman or such System Division or Federation Officer when designated by the General Chairman, will, by virtue of his election to such office, be a delegate ex officio at all National Division Conventions (at no expense to the National Division) and accorded the same rights and privileges enjoyed by National Division Officers who are delegates ex officio as set forth in Article 1, Section 6. When National Division Officers or General Chairmen or full time System Division or Federation Officers are delegates ex officio at National Division Conventions, such Officers will be entitled to cast one vote in all matters before the National Division Convention except election of National Division Officers.”

“Local Lodges shall elect delegates and alternates to the National Division Convention at a meeting held on or after January 1 of the year in which the Convention convenes. Provided, however, that Local Lodges that do not ordinarily meet between January 1 and May 1 may conduct such elections during the

second half of the year prior to the year in which the convention convenes. All members in good standing of the Local Lodge will be given at least fifteen (15) days advance notice in writing at their last known addresses of the date, time and place at which election shall be held. The National Division Secretary-Treasurer will be advised of the results of such elections in ample time for this information to be recorded at the National Division. All expenses of said delegates shall be paid by Local Lodge or Lodges represented.”

“The alternate will take the place of the delegate in case the delegate is unable to serve.”

### **ISSUANCE OF CREDENTIALS**

Article XVIII, Section 14, Paragraph 6, of the National Division Bylaws describes the manner in which Credentials will be issued to delegates and alternates to the National Division Convention:

“Credentials shall be issued to the Secretary-Treasurers of Local Lodges prior to January 1 of the year of the National Division Convention. Credentials must be signed by an elected officer of that Local Lodge. In the event that there is not a Local Lodge Officer present, a System Division or Federation Officer may sign the credential. Original credentials shall be given to the duly elected delegates. Duplicate credentials shall be forwarded to the National Division Secretary-Treasurer’s office as soon as possible after the election of the delegates.”

### **DELEGATE VOTING STRENGTH**

Article XVIII, Section 14, Paragraph 7, of the National Division Bylaws prescribes the method by which delegate voting strength will be determined:

“Representative votes for each delegate shall be determined in accordance with National Division records twenty (20) days prior to the opening of the Convention, and shall reflect all members in good standing as of May 1 of that year. No votes shall be added and no duplicate credentials shall be accepted after twenty (20) days prior to the opening of the Convention.

### **PROHIBITION AGAINST THE TRANSFER OF VOTES OR CREDENTIALS**

You should be advised that the transfer of votes between delegates will **not** be permitted at the 2022 National Division Convention and that under Article XVIII, Section 14, Paragraph 1 of the National Division Bylaws, no delegate may represent more than five hundred (500) members unless the members are all members of one Local Lodge. Only members in good standing are counted in arriving at a Lodge’s voting strength.

Therefore, care should be exercised in those instances where a member is elected as a delegate representing more than one Local Lodge with combined membership in excess of five hundred (500). Any delegate present at the Convention who was elected as the delegate for more than one Local Lodge will be required to register as the delegate for all such Lodges and will **not** be permitted to transfer his/her credential to an alternate for such Local Lodge(s), even though the alternate is in attendance and the delegate may be carrying in excess of five hundred (500) votes.

### **ELIGIBILITY REQUIREMENTS TO VOTE IN LODGE ELECTIONS**

Only members in good standing are entitled to vote in the election of a delegate or alternate to the National Division Convention. Retired Local Lodge Secretary-Treasurers holding such office and paying

full dues under the provisions of Paragraph 4.11 of the Merger Agreement are also entitled to nominate, second, and vote in the election for delegate and alternate to the National Division Convention.

Retired members who are paying full dues, retiree dues of \$16.00 per year, or National Division dues to protect their death benefit, are **not** eligible to vote in Lodge elections. Members who have secured a Withdrawal Card after leaving the service of the railroad, being promoted to an official and/or excepted position with the railroad or transferring to another craft, or who are considered an agency or objector fee payer, are not eligible to participate in the election of a delegate or alternate to the National Division Convention even if they are paying full dues.

### **FIFTEEN-DAY ADVANCE WRITTEN NOTICE REQUIRED**

The National Division Bylaws requires that advance written notice by mail to the membership be given of the holding of a meeting for the purpose of nominating and electing delegates and alternates to the National Division Convention at least fifteen (15) days prior to the date of their nomination and election. In calculating the 15-day period, the day the cards are mailed is not counted, but the day of the meeting is counted.

The "Notice of Meeting Card" (Form F-86) must be mailed to all members who are eligible to participate in the election at their last known address. The posting of meeting notices on bulletin boards, tool sheds, etc., or their distribution to members of gangs at the work site, does not satisfy the notice requirements.

If you provide National Division or your System Office with sufficient advance notice of the date of your meeting, National Division will furnish you with address labels or Notice of Meeting Cards with pre-printed addresses. Prior to mailing, you should check the addresses against your current membership records to ensure that all members receive a notice of the meeting, since it may be necessary to hand-address cards for members for whom addresses were not furnished. Addresses for those members who are deceased or individuals who are no longer members of the Brotherhood should be discarded.

### **QUORUM REQUIRED TO ELECT DELEGATE AND ALTERNATE**

Article XVIII, Section 6, Paragraph 3, of the National Division Bylaws provides that five (5) members in good standing constitute a quorum for the purpose of transacting Lodge business. Therefore, if there are not five (5) members in good standing present at your Lodge meeting which has been designated to elect a delegate and alternate to the National Division Convention, it will be necessary to reschedule the election due to the fact that a quorum was not present.

### **SECRET BALLOT ELECTION**

Article XVIII, Section 14, Paragraph 2, of the National Division Bylaws, requires that all delegates and alternates **must** be elected by secret ballot. This is also a requirement of the Labor Management Reporting and Disclosure Act of 1959 and must be adhered to.

### **MAILING OF CREDENTIALS**

Article XVIII, Section 14, Paragraph 6 of the National Division Bylaws requires Credentials to be issued and mailed from the National Division in sufficient time to be in the hands of Local Lodge's Secretary-Treasurers prior to January 1 of the year of the National Division Convention. Your respective Local Lodge's Credential is enclosed.

Early election by the Local Lodges of delegates and alternates is requested in order that the duplicate credentials are received by the National Division Secretary-Treasurer from the Lodge Secretary-Treasurers, twenty (20) days prior to Convention (May 25, 2022).

### PROPOSALS TO AMEND THE CONSTITUTION

Article XX, Section 1, of the National Division Bylaws, provides that all proposals to alter or amend the National Division Bylaws which are printed in the *BMWED JOURNAL* thirty (30) days before the day the Convention begins, may be enacted by a majority vote of the delegates assembled at the National Division Convention. Therefore, to comply with this requirement, all proposed amendments to the National Division Bylaws that are to be published in the *BMWED JOURNAL* must reach the National Division not later than March 31, 2022. In the case of proposed amendments to the National Division Bylaws which are not published in the *BMWED JOURNAL*, the approval of three-fourths of the delegates is necessary for their adoption.

It is not necessary that resolutions other than those proposing to alter or amend the National Division Bylaws be printed in the *BMWED JOURNAL*. However, such resolutions should be submitted in advance so the Resolution Committee can consider them before the Convention convenes and submit a report to the Convention.

All proposals to amend the National Division Bylaws and all resolutions that are to be considered by the Resolutions Committee should be mailed to the National Division President.

Copies of this Convention Call were sent to all National Division and System Officers, National Division Appointees, State Legislative Directors and Local Lodge Presidents in the United States. Excerpts of this Convention Call will be published in the August/September/October 2021 issue of the *BMWED JOURNAL* and is intended to serve as official notice to all members of the Brotherhood.

Fraternally yours,



President



Secretary-Treasurer

cc: National Division and System Officers  
National Division Appointees  
State Legislative Directors  
Local Lodge Presidents