

February 10, 2021

TO: All USW District Directors, Staff Representatives, as well as  
**Recording Secretaries** of all Local Unions in the United States.

RE: Meeting Attendance Rule for Local Union Elections

Greetings:

Please be advised, Article VII, Section 8 of the International Constitution requires that all Local Union Officers and Grievance Committee Members shall be elected for a term of three (3) years in April of 2021.

Article VII, Section 10 of the Constitution, Article IV, Section 5(c) of the standard By-Laws for Local Unions and the Local Union Elections Manual contain language requiring that members must have attended at least one-third of the regular meetings held by the member's Local Union during the twenty-four (24) month period immediately preceding the month in which the election is to be held in order to be eligible to be a candidate for Local Union office.

Even though the Department of Labor, some years ago, initially approved the particulars of this requirement, succeeding administrations changed policy and challenged the attendance requirement. In its simplest form, the Department of Labor argues that a rule, which disqualifies a high percentage of the membership from running for office, deprives those members of a right guaranteed by federal law.

The Union has defended the meeting attendance requirement in several lawsuits and courts of appeal. We have argued that while many members are disqualified, the Union does not disqualify these members. Rather, they are disqualified by their own failure to participate in the Union's monthly meetings. This and other arguments have unfortunately been rejected by a number of Courts of Appeal and by the Supreme Court. Based on the results of these cases, we are convinced that there is little likelihood of prevailing in such cases and we do not anticipate being able to defend them in the future.

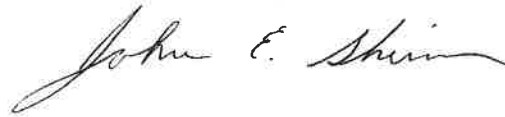
It is, therefore, important that each Local Union immediately check to see if a large percentage of its membership would be disqualified from seeking office in any particular election due to the meeting attendance rule. If so, the Local is authorized, in the exercise of its own discretion, to waive the meeting attendance requirement for that election in order to avoid Department of Labor interference in its affairs and potentially costly court battles. **If the Local Union Officers decide to waive the meeting attendance requirements the membership must be informed of this decision before nominations take place.**

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Please be further advised that the jurisdiction of the Department of Labor extends to the election of the 11 Constitutional Officers and any other Position within the Local Union that provides a member, by virtue of holding such Position, with a vote on the Local Union Executive Board. Accordingly, the provisions of the Constitution and By-Laws pertaining to the meeting attendance requirement noted above cannot be waived for the election of Unit Positions or Grievance Positions unless such Position has a vote on the Local Union Executive Board.

The Local Union Elections Manual has been updated to conform to the International Constitution and the current policies of the International Union and it must be complied with to insure that your Local Union Elections are conducted properly. You are, therefore, advised to read it carefully. Please be certain that sufficient copies of this Manual are given to the Local Union Election Tellers.

In solidarity,

A handwritten signature in dark ink, appearing to read "John E. Shinn", with a stylized, flowing script.

John E. Shinn  
International Secretary-Treasurer