

RULES GOVERNING

AFL-CIO

STATE CENTRAL BODIES

**Includes all changes made by the AFL-CIO
Executive Council through March 2022**

**Elizabeth H. Shuler
President**

**Fredrick D. Redmond
Secretary-Treasurer**

Effective May 1, 2011
Revised March 14, 2012
Revised Jan. 15, 2014
Revised March 14, 2017
Revised March 15, 2022

Contents

I. Rules Governing State Central Bodies.....	3
1. Status of Rules.....	3
2. Definitions.....	3
3. Composition of State Central Bodies.....	4
4. Purposes of State Central Bodies and Chapters.....	5
5. Charters.....	6
6. Affiliation.....	6
7. Constitutions and Bylaws.....	7
8. Conventions.....	7
9. Representation and Voting.....	7
10. Delegates.....	9
11. Officers and Agents.....	9
12. Removal of Officers.....	10
13. Records and Reports.....	10
14. Revenue of State Central Bodies.....	10
15. Financial Practices, Reports and Audits.....	11
16. Coordinated Planning and Performance.....	12
17. Bonds.....	12
18. Organizing.....	13
19. Strikes.....	13
20. Collective Bargaining.....	13
21. Boycotts and Unfair Lists.....	13
22. Publications and Advertising.....	14
23. Lists.....	15
24. Discipline of State Central Bodies and Their Officers by the AFL-CIO.....	16
25. Exhaustion of Remedies.....	17
26. Appeals.....	17
27. Election Protests.....	18
28. Dissolution.....	18
29. Ethical Practices.....	18
II. Rules Governing Committees on Political Education of State Central Bodies.....	19

III. Ethical Trade Union Standards for Publications Owned or Endorsed by State and Local Central Bodies of the AFL-CIO..... 22

IV. Policy on Involvement of Central Bodies With Commercial and Non-Profit Enterprises 23

V. Ethical Practices Code for AFL-CIO Officers and Representatives.....24

I. Rules Governing State Central Bodies

1. Status of Rules

These rules are issued by the Executive Council of the American Federation of Labor and Congress of Industrial Organizations pursuant to the provisions of the Constitution of the AFL-CIO. They supersede all rules previously issued. These rules and the Constitution of the AFL-CIO shall govern the conduct, activities, affairs, finances and property of all state central bodies of the AFL-CIO and provide the procedures for the discipline, including suspension and expulsion, of such bodies or their officers by the AFL-CIO. These rules may be amended at any time by the Executive Council of the AFL-CIO, subject only to the provisions of the AFL-CIO Constitution.

2. Definitions

- (a) When used in these rules, the term “local union” shall include local lodges, local brotherhoods or other local units of affiliated national or international unions or organizing committees which, in such unions, perform the functions of local unions.
- (b) When used in these rules, the term “President,” unless otherwise specified, shall mean the President of the AFL-CIO, and the term “Secretary-Treasurer,” unless otherwise specified shall mean the Secretary-Treasurer of the AFL-CIO.
- (c) When used in these rules, the term “Executive Council” shall mean the Executive Council of the AFL-CIO.
- (d) When used in these rules, the term “AFL-CIO constituency group” shall mean the A. Philip Randolph Institute (APRI), Asian Pacific American Labor Alliance (APALA), Coalition of Black Trade Unionists (CBTU), Coalition of Labor Union Women (CLUW), Labor Council of Latin American Advancement (LCLAA), Pride at Work (PAW), Union Veterans Council (UVC), and such other constituency organizations as may be designated by the Executive Council of the AFL-CIO.
- (e) When used in these rules, the term “allied retiree organizations” shall mean a state chapter of the Alliance for Retired Americans that is chartered by the national Alliance for Retired Americans.

3. Composition of State Central Bodies

- (a) State central bodies shall be composed exclusively of locals of national and international unions and organizing committees affiliated with the Federation, directly affiliated local unions, local central bodies, local and state councils chartered by the trade and industrial departments of the AFL-CIO within the geographical limits of the state, and, subject to paragraph (d) of this rule, state or local chapters of AFL-CIO constituency groups within the geographical limits of the state that are chartered by a national AFL-CIO constituency group. Joint boards, district councils, state associations and similar subordinate organizations within the geographical limits of the state that are chartered by an affiliate of the AFL-CIO may affiliate where the constitution of the state central body so provides. A state chapter of an allied retiree organization may affiliate where the constitution of the state central body so provides, subject to paragraph (d) of this rule. Any question that may arise with respect to the proper state central body or bodies to which local unions or other subordinate bodies or constituency groups are to affiliate or the extent of such affiliation shall be determined by the President of the AFL-CIO. It shall be the duty of all national and international unions and organizing committees affiliated with the AFL-CIO to instruct their local unions to join state central bodies in their vicinity where such exist. Similar instructions will be given by the AFL-CIO to all local unions affiliated directly with it.
- (b) An associate member organization may be admitted as an affiliate, where the constitution of the central body so provides, with one delegate and one vote. A state union retiree council, composed of more than one local union retiree council, may be admitted as an affiliate and shall be entitled to up to three delegates and three votes, where the constitution of the central body so provides. Such organization may be charged an annual fee not to exceed \$50.00, unless the President of the AFL-CIO approves a higher fee.
- (c) A state chapter of an AFL-CIO constituency group, and a state chapter of an allied retiree organization, may be admitted as an affiliate, with one delegate and one vote, subject to the delegate eligibility requirements of Rule 10. Where an AFL-CIO constituency group has one or more local chapters but no statewide chapter in a particular state, the national constituency group may designate one local chapter to represent all local chapters in the state, and that chapter may be admitted as an affiliate to the state central body, with one delegate and one vote, subject to the delegate eligibility requirements of Rule 10. Additionally, in areas with one or more viable AFL-CIO constituency groups, the combined constituency groups affiliated with the state central body shall be entitled to one voting seat (or more, if the state central body's constitution so provides) on the state central body's governing board. Affiliated constituency groups and allied retiree organizations may be charged an annual fee not to exceed \$50.00, unless the President of the AFL-CIO

approves a higher fee. No AFL-CIO constituency group, or allied retiree organization, or its delegate, may be present for or have voice or vote in any meeting or proceeding concerning the endorsement of a political candidate or other partisan political activity concerning public elective office by any central body, nor may any AFL-CIO constituency group or allied retiree organization, or its delegate, be present for or have voice or vote in any meeting or decision of any central body Committee on Political Education.

- (d) State central bodies will undertake all reasonable efforts to ensure diversity of representation at every level.

4. Purposes of State Central Bodies and Chapters

State central bodies, as chartered organizations of the AFL-CIO, shall conform their activities on national affairs to the policies of the AFL-CIO. The functions and responsibilities of state central bodies within their respective states shall be:

- (a) To assist in furthering the appropriate objects and policies of the AFL-CIO, or of organizations affiliated with the AFL-CIO (provided such objects or policies are not inconsistent with the objects or policies of the AFL-CIO).
- (b) To serve as a means of exchanging information among affiliated bodies on matters of common interest.
- (c) To provide aid, cooperation and assistance to affiliated local unions and other affiliated bodies in their common and individual endeavors.
- (d) To propose support and promote legislation favorable to and to oppose legislation detrimental to the interest of workers and organized labor.
- (e) To encourage workers to register and vote, to exercise their full rights and responsibilities of citizenship, and to perform their rightful part in the political life of the local, state and national communities.
- (f) To encourage and assist in the formation of local central bodies within the state.
- (g) To engage in such other activities as are consistent with the objects and principles set forth in the Constitution of the AFL-CIO and the policies of the AFL-CIO.

Chapters are non-chartered subordinate bodies of a state, area or central labor council. Chapters may be authorized to enact bylaws consistent with the state, area or central council's constitution; elect a chapter president and secretary-treasurer, hold meetings of delegates from local unions within the chapter's geographic jurisdiction and make recommendations to the state labor council, the area labor council or the central labor council for its consideration. Chapters may not assess a per capita or membership fee. In accordance with the endorsement procedure for area labor councils and central labor

councils, the chapter may endorse candidates running for local public office within the chapter's geographic jurisdiction and may screen, interview and recommend to the state, area or central labor council candidates for state and federal legislative office but such recommendation is not binding on the council.

5. Charters

Charters shall be issued to state central bodies by the President on behalf of the Executive Council. Such charters may be refused, revoked or suspended pursuant to the Constitution of the AFL-CIO and these rules. The rights conferred by a charter upon any state central body in respect to the name and territory of such body are revocable and the President may, for good revoked, suspended or amended shall be surrendered to the President along with all assets held by the state central body.

6. Affiliation

- (a) State central bodies shall affiliate, upon the payment of such per capita tax and fees as may be required by the constitution or bylaws of such body, all local unions directly affiliated to the AFL-CIO or affiliated with national or international unions and organizing committees affiliated with the AFL-CIO, all local central bodies of the AFL-CIO within the geographical limits of the state and such other subordinate bodies, constituent entities, and allied retiree organizations as the Executive Council may determine are eligible for affiliation or other participation. Consistent with terms of the Solidarity Charter program, for as long as it remain in effect, state central bodies may affiliate local unions whose national or international union is not affiliated with the AFL-CIO.
- (b) State central bodies shall affiliate any local union that is within the central body's jurisdiction and that is affiliated with a national or international union that has paid the national affiliation fee to the AFL-CIO. The number of votes to which such a local union is entitled shall be determined in accordance with procedures established by the AFL-CIO Executive Council.
- (c) Any state central body shall have the power to suspend or expel any organization affiliated with it upon conviction, after charges, notice and hearing, of having engaged in conduct or a course of activity hostile or contrary to the best interest of the central body or contrary to its constitution or bylaws.
- (d) No organization officered, controlled or dominated by persons whose policies and activities are consistently directed toward the achievement of the program or purposes of authoritarianism, totalitarianism, terrorism and other forces that suppress individual liberties and freedom of association shall be permitted as an affiliate of any state central body.

7. Constitutions and Bylaws

- (a) Each state central body shall adopt a constitution and/or bylaws consistent with the Constitution of the AFL-CIO and with these rules. Constitutions may be amended only upon a favorable vote of two-thirds or more of the delegate votes cast. Such constitutions and bylaws, and any amendments thereto, shall be subject to approval by the President, and two copies thereof shall be submitted to the President upon their adoption.
- (b) Amendments to the constitution or bylaws of a state central body duly proposed in accordance with the provisions of the constitution or bylaws of the central body may be submitted to the President for approval in advance of the convention at which they are to be acted on and such amendments, if approved by two-thirds or more of those delegates casting a vote, may be put into effect at such convention, if adopted in the form submitted or without substantive change. If any substantives changes are made in amendments that have received prior approval, such amendments shall be resubmitted for approval by the President, and shall not become effective until written notification of approval is issued by the President.
- (c) The President may, at any time, require any state central body to amend its constitution or bylaws in order to bring them into conformity with the provisions of these rules or of the Constitution of the AFL-CIO. The state central body will notify the President in writing that such amendments have been adopted and provide a copy of the amendments.
- (d) The President may temporarily waive or suspend one or more provisions of a state central body's constitution or bylaws, after consultation with national and international unions as appropriate, where (a) the waiver or suspension is requested by the state central body with the support of its executive board: (b) the state central body has demonstrated to the satisfaction of the President that the waiver or suspension is warranted under the circumstances, and (c) the President determines that the waiver or suspension is consistent with the objects and principles of the AFL-CIO Constitution.

8. Conventions

Each state central body shall hold conventions regularly, and at least once every two years. Each state central body shall report to the President the times and place of its convention.

9. Representation and Voting

- (a) The constitution or bylaws of state central bodies shall provide, among other things, for the holding of conventions, the selection of delegates to such conventions, an election appeal process, and the basis of representation therein. Delegates shall only represent the local union in which the delegate is

a member in good standing, unless the delegate was selected to represent local bodies chartered by the trade and industrial departments of the AFL-CIO, or state or local chapters of AFL-CIO constituency groups within the geographical limits of the council that are chartered by a national AFL-CIO constituency group.

- (b) The constitution and bylaws shall provide for representation and voting procedures on a basis which will be equitable and which will assure the representative character of the state central body, and shall provide for a roll-call vote on any pending question, including elections, upon demand of a reasonable fixed percentage or number of delegates, which percentage or number shall not exceed thirty (30) percent of the delegates present. The number of votes to which a local union is entitled on roll-calls shall be equal to, or directly proportional to, the average membership of the local union as determined by the per capita tax payments to the central body for a prescribed period of time equal to the time between regular conventions. The average membership of a local union affiliated for less than the prescribed period shall be computed from the month of affiliation and shall be determined by dividing the total per capita tax paid for all months affiliated by the number of months affiliated or by the number of months in the prescribed period, whichever is greater.
- (c) Organizations which were suspended because of non-payment of per capita and seek reinstatement shall be required to pay per capita only for the number of months due at the time of the suspension plus the current month's per capita tax but shall not be permitted to retroactively pay per capita for any other months. Constitutions shall contain standards for determining the number of delegates for affiliates that have been exonerated from paying per capita tax for any part of the period used for calculating per capita.
- (d) The votes of a local union shall be divided among all its registered delegates. Each delegate present shall be entitled to cast only her/his assigned number of votes, except that one delegate may be permitted to cast all the votes of the delegates representing her/his local union when such procedure is properly provided for in the state central body's constitution; no other proxy voting is permitted. Organizations other than local unions affiliated with the state central body shall be allotted a fixed number of delegates and votes, not to exceed three delegates and three votes for each organization; such organizations may not vote on behalf of local unions by proxy or otherwise.
- (e) A roll-call vote on elections may be conducted orally, or by written or printed ballots where deemed desirable to expedite the holding of the election, provided each ballot clearly shows the name, organization and number of votes of the delegate casting the ballot. Such ballots shall become part of the records of the central body and shall be preserved and available for examination by any delegate or officer of an affiliated organization for a period of not less than six months.

10. Delegates

- (a) No person shall be eligible to serve as a delegate to a state central body unless he is a member in good standing of a local union affiliated with such state central body and may represent only the local union in which the delegate is a member in good standing, unless the delegate was selected to represent local bodies chartered by the trade and industrial departments of the AFL-CIO, or state or local chapters of AFL-CIO constituency groups within the geographical limits of the council that are chartered by a national AFL-CIO constituency group or, if the constitution or bylaws of the state central body so provides, unless he is a national or international union representative regularly servicing such a local union, nor shall any person be eligible to serve as a delegate who holds a salaried position, or any other position of administrative or executive authority, in a union or any subordinate branch of a union which has been suspended, expelled, or which has disaffiliated from the AFL-CIO. A delegate representing an allied retiree organization shall be a member of a local union affiliated with such state central body, except that if the delegate's home local union is located in a different state, the allied retiree organization delegate may serve provided that the home local union is affiliated and in good standing with the state central body in that state. Delegates from local unions which hold Solidarity Charters may serve as delegates consistent with the terms of the Solidarity Charter program, for so long as it may remain in effect.
- (b) No state central body shall reject credentials presented by a duly elected or appointed delegate who is eligible to be a delegate under the provisions of paragraph (a) of this rule.
- (c) Any delegate to a state central body may, upon conviction, after charge, notice and hearing, be expelled or suspended from such body for having engaged in conduct or a course of activity hostile or contrary to the best interests of the state central body or contrary to its constitution or bylaws.

11. Officers and Agents

- (a) The constitution or bylaws of each state central body shall provide for the election of officers, the filling of vacancies of office, the duties of officers and their terms of office (not to exceed four years), and shall set forth the requirements for eligibility for office.
- (b) No individual shall be eligible to serve as an officer, member of the executive board or committee or other governing body of, or any other committee of, or as a delegate from, or as a representative, agent or employee of any state central body who consistently pursues policies and activities directed toward the achievement of the program or purposes of authoritarianism, totalitarianism, terrorism and other forces that suppress individual liberties and freedom of association.

- (c) In accordance with the AFL-CIO *Ethical Practices Code*, no person who is convicted of any felony involving the infliction of grievous bodily injury, any crime of dishonesty, or any crime involving abuse or misuse of such person's position in a labor organization or employee benefit fund, shall serve as an officer or managerial employee of a state central body.
- (d) No person shall be eligible to serve in any of the capacities enumerated in paragraph (b) of this rule, who holds a salaried position or any other position of administrative or executive authority in a union, or any subordinate branch of a union, which has been suspended, expelled, or which has disaffiliated from the AFL-CIO.
- (e) No person shall be eligible to serve as an officer of a state central body unless he or she is a member in good standing of a local union affiliated with the state labor council and further, the officer must remain a member in good standing of a local union affiliated with the central or area labor council at all times during their term of office.
- (f) The President of the AFL-CIO, and her/his designees, shall have the right to participate, and have a voice in all central body activities, meetings and deliberations.

12. Removal of Officers

Any state central body, acting through its convention, or through the executive body exercising governing powers between conventions, may suspend or remove any officer or member of its executive board, executive committee, or other governing body, on written charges, notice and hearing for violation of the constitution of the AFL-CIO or these rules, or the constitution or bylaws of the state central body, or for conduct unbecoming an officer of the state central body, misappropriation of funds, malfeasance in office or neglect of duty. Appropriate provisions for such removal of officers shall be contained in the constitution or bylaws of the state central body.

13. Records and Reports

State central bodies shall keep such records in such manner and for such duration as required by the President or the Secretary-Treasurer by rules or otherwise. State central bodies shall file such reports in such manner and at such times as may be required by the President or the Secretary-Treasurer by rules or otherwise, and shall produce their books and records on demand of the President, including those of any related IRS Code Sections 501(c)(3) or 501(c)(4) organizations which it has established or on which its officers serve.

14. Revenue of State Central Bodies

- (a) The constitution or bylaws of each state central body shall prescribe the per capita tax and fees payable to such state central body and the penalties including suspension or expulsion for failure to pay such tax or fees. The fees

of local unions shall be on a per capita basis and shall be uniformly applied to all local unions, with no maximum or minimum, and shall be based on the actual number of dues-paying members of such local unions. The fees of affiliated local central bodies, subordinate bodies, allied retiree organizations and constituent entities other than local unions shall be fixed on a uniform basis, which shall not exceed \$50.00 per year.

- (b) A national or international union affiliated with the Federation may affiliate its entire membership with the appropriate state central bodies by paying the AFL-CIO monthly a state central body national affiliation fee equal to 80 percent (or such higher amounts as determined by the Executive Council) of the per capita charged by the various state bodies weighted to reflect the distribution of the union's membership among the states. If a union elects to pay this national affiliation fee, each local of that union (or other eligible subordinate body as determined by the Executive Council) will be entitled to membership in the appropriate state central body, and each of those locals will be entitled to full voting strength in its state central body. The national affiliation fees received by the AFL-CIO will be rebated to the state central bodies on the basis of their membership, per capita rates, and needs. The Executive Council shall establish procedures for calculating the amount of the fee due from any union electing to pay the national affiliation fee, for determining the voting strength of the union's locals within the various state central bodies, and shall take such other steps as are necessary to implement this section. As part of an overall program to increase affiliation and participation by all local unions in the state, a state central body may, with the approval of the President of the AFL-CIO, amend its constitution to require all affiliated local unions to pay per capita tax and fees on a uniform basis, notwithstanding the national affiliation program established in this section. The state central body's constitution may provide for the uniform per capita payment program to be phased in over a reasonable period of time, subject to the approval of the President of the AFL-CIO. Local unions of national or international unions participating in the national affiliation program shall continue to receive full voting strength during the phase-in period.

15. Financial Practices, Reports and Audits

The funds of a state central body shall be expended only pursuant to authorization by the procedures set forth in its constitution or bylaws. The funds shall be used only for legitimate expenditures in furtherance of the objectives of such body or of the AFL-CIO.

State central bodies shall follow such financial practices and keep such records as will ensure that their funds and properties will be safeguarded and will be expended only for authorized purposes. Each state central body shall prepare an annual budget. Each state central body shall adopt in writing consistent and uniform expense policies that include, at

a minimum, expense reimbursement through a voucher system, the submission of original receipts and approval of the expenditures, the prohibition of central body credit cards for any personal expenditures and barring the use of debit cards. The Secretary-Treasurer may require any state central body to amend its financial practices and procedures so as to come into conformity with the provisions of this rule. The Secretary-Treasurer may at any time require any state central body to submit financial reports, and may cause a full audit to be made of the books, records, funds, property or accounts of any state central body, including 501(c)(3) and 501(c)(4) organizations that it has established or control, and may require the state central body to bear the expenses thereof. Written financial statements shall be distributed at each meeting of its Executive Board. All state central bodies shall have a financial evaluation performed by an outside, independent CPA each year, in accordance with the AFL-CIO Agreed-Upon Procedures established for this purpose.

16. Coordinated Planning and Performance

State, area, and local central bodies in a state shall ensure that their work is coordinated and integrated with each other and with the programs and priorities of the AFL-CIO and affiliated national and international unions. State, area, and local central bodies shall develop a unified work plan and budget at least every two years, which shall set forth the roles, responsibilities, budget, and activities of each organization. Such work plans and budgets shall be submitted to the President of the AFL-CIO upon request, and the President may modify, approve, or reject any work plan or budget. The failure of a state, area, or local central body, or any of its officers, to participate in the unified planning and budgeting process, to conform their activities to the unified work plan and budget, or to meet performance standards and benchmarks as established by the Executive Council, shall be grounds for disciplinary action pursuant to Rule 24.

17. Bonds

All officers, agents and employees of any state central body having a financial responsibility shall be covered by a fidelity bond, at its expense, in an amount equal to no less than ten percent of the funds handled by its officers, agents and employees in the prior fiscal year. If the Secretary-Treasurer determines that the amount of the bond is insufficient, the Secretary-Treasurer may require that the bond be increased. The Secretary-Treasurer may determine the amount in which such officers and agents shall be bonded and may require that additional bonds be secured at the expense of the state central body in a sum sufficient to protect the funds of the state central body. Upon the discovery of any irregularity or deficiency in the accounts or transactions of the state body or any officer or agent thereof, the person making such discovery shall immediately report such irregularity or deficiency to the Secretary-Treasurer.

18. Organizing

State central bodies should lend all possible assistance to the organizing activities of local unions and their parent national or international unions or organizing committees affiliated with the AFL-CIO.

19. Strikes

No state central body shall have the authority or power to order any local union or other organization to strike or to take a strike vote. No state central body shall provide assistance in any labor dispute involving any affiliated local union except upon the request or with the consent of the national or international union or organizing committee with which such local union is affiliated or, in the case of local unions directly affiliated with the AFL-CIO, except upon the request or with the consent of the President. If requested or consent is given by the national or international union or organizing committee with which such local union is affiliated the state central body may give proper assistance to such local union or such other organization with the approval of its parent body, so long as such assistance is not inconsistent with the objects, principles and policies of the AFL-CIO.

20. Collective Bargaining

No state central body shall take part in any collective bargaining activities or in any labor dispute involving any affiliated local union except upon the request or consent of the national or international union or organizing committee with which such local union is affiliated or, in the case of local unions directly affiliated to the AFL-CIO, except upon the request or consent of the President.

21. Boycotts and Unfair Lists

No state labor council shall have power or authority to initiate a boycott. They can endorse and provide support for a boycott campaign of an affiliate. A state council can place an employer on an “unfair” or “do not patronize” list, if the proper conditions apply as outlined in the regulations below, and that all such action be taken only on written request of the aggrieved union or in response to an action of the AFL-CIO.

When such action is requested by an aggrieved union, the state body shall notify the Secretary-Treasurer or his/her designee in writing of the request, and the state body shall be governed by the following regulations:

- (a) **Disputes affecting contractual interests of other unions** — If the requested action is directed against an employer that has a contract or working agreement with any union or unions affiliated with the AFL-CIO, other than the aggrieved union, then the written consent of such other union or unions shall be required. If such consent is not given, no further action shall be taken by the state central body, except as authorized by the President or by the Executive Council of the AFL-CIO.

- (b) **Disputes within the state** — If the requested action is directed against an employer for a dispute arising within the state which does not involve the contractual interest of other AFL-CIO unions, the state central body may take the requested action if, in its judgment, such action is warranted and shall provide written notice to the Secretary-Treasurer of such action. The state central body will also notify the Secretary-Treasurer when a boycott is terminated.
- (c) **Disputes in areas of other central bodies** — If the requested action is directed against an employer for a dispute arising wholly outside the state, no action shall be taken unless the local central body, or the state central body, as the case may be, in whose area the dispute arose has first acted favorably on the request of the aggrieved union in keeping with applicable rules, and the AFL-CIO agrees with the requested action.
- (d) **National and regional disputes** — If the requested action is directed against an employer for a dispute which is national or regional in scope, no action shall be taken by the central body unless the national or international union involved, which must be affiliated with the AFL-CIO, has first secured approval of the AFL-CIO.

22. Publications and Advertising

Experience has demonstrated that irresponsible publishers of so-called labor papers, yearbooks, and directories and/or unscrupulous solicitors of advertising for such publications, have, on occasion, exploited the name and good reputation of the AFL-CIO to further their own selfish ends, and to the detriment of the best interests of organized labor. Therefore, no state central body shall be associated in any way with a yearbook or labor directory when such yearbook or labor directory accepts commercial advertising of any kind.

It should be clearly understood that labor publications should exist for the sole purpose of furthering the best interests of the labor movement, not as a source of additional revenue. Therefore, advertising should be accepted in labor publications only if it is necessary to the publications' existence. No state central body shall be associated with any publications except in conformity with the following requirements:

- (a) Any publication, including newspapers, newsletters, magazines or any other form of publication owned, in whole or in part, either directly or through a corporation, by a central body, or which is issued in the name of, or which is endorsed, authorized or given official approval by a central body, shall be required by the central body to conform to the provisions of this rule and to such ethical trade union standards as may be determined by the President by regulation or otherwise. The central body shall furnish to the responsible officer or manager of any such publication a copy of this rule and a copy of the ethical trade union standards as determined by the President of the AFL-CIO.

- (b) No state central body shall authorize or permit any such publication to claim or imply by use of geographical or other terms in its name or title, or in any other way, that it is the publication of any other central body unless the publication is also officially endorsed by such other central body.
- (c) No state central body shall authorize or permit such publication to solicit local advertising (as distinguished from national advertising) outside the regular area of circulation of this publication, which area of circulation shall not include any part of the geographic jurisdiction of any other state central body without the written consent and approval of such other state central body.
- (d) No state central body shall authorize or permit such publication to accept paid political advertising.
- (e) Any contract made by a state central body for the production of such publication shall incorporate this rule as an integral part of the contract.

23. Lists

All lists of affiliates or members of affiliates in possession of the state central body shall be used exclusively in carrying out the authorized programs and work of the state central body and shall not be released to any person or organization for any other purpose unless such release has been duly authorized by the central body and the appropriate officers of the affiliate or affiliates involved. No less than 45 nor more than 120 days prior to a regularly scheduled convention, the state body shall compile and notify each affiliated organization of the availability of a list containing the following information: (i) the name and mailing address of each of the central body's elected officers (including executive board members); (ii) the name and mailing address of each organization presently affiliated with the central body; (iii) the name of each of the affiliated organization's principal officers; (iv) each organization's projected per capita voting strength and delegate entitlement at the convention; and (v) to the extent available, the names and mailing addresses of the delegates who will be entitled to vote at the convention. In any year in which there is not a regularly scheduled convention, the state central body shall, during the same month as the last convention was held, compile and notify each affiliate organization of the availability of an updated list containing the information set forth in the first three parts of the preceding sentence, and if the central body's constitution provides for per capita voting between conventions, the per capita voting strength each affiliated organization is entitled to in such a vote at the time the list is prepared. Officers of the organizations affiliated with the state central body shall also be entitled at the place where the records are kept to inspect, and to make their own notes concerning, the most current underlying records relating to the information included in the lists provided for above.

24. Discipline of State Central Bodies and Their Officers by the AFL-CIO

- (a) The President is authorized to take disciplinary action against state central bodies, including the authority to suspend or expel any officer thereof, and to suspend such organizations or revoke their charters. Such disciplinary action may be taken against any such organization or officer, when such organization or officer violates or fails to comply with any of the provisions of the Constitution of the AFL-CIO or of these rules, or engages in any activity or course of conduct which is contrary or detrimental to the welfare or the best interests of the AFL-CIO, or when any such organization fails to conform its policies to the policies of the AFL-CIO.
- (b) In any case where disciplinary action is taken under this rule the organization or any officer charged shall first be given reasonable notice of the nature of the charges and shall be afforded a full hearing either by the President or by a person or persons designated by the President to act for her/him as a Hearing Officer or Officers. In the latter event, such Hearing Officer or Officers shall, as soon as practicable after the close of the hearing, make a report, either orally or in writing, to the President, who shall make the ultimate decision. The decision of the President shall be in full force and effect unless or until reversed or changed upon appeal as provided in paragraph (g) of this rule.
- (c) In cases of emergency, where the interests of the AFL-CIO reasonably require such action, the President is empowered to suspend any officer and establish a trusteeship over the operation and property of state central bodies prior to the hearing provided for in paragraph (b) of this rule. In such case, the hearing shall be conducted as soon as practicable after such emergency action, but in no event later than 45 days following such action, unless a postponement of such hearing is granted by the President upon proper request.
- (d) In any case where a state central body has been suspended under the provisions of this rule, the President shall have the power to assume charge of the affairs and business of such suspended body, suspend any or all of the officers thereof, appoint temporary officers under the supervision of a trustee, and to appoint a trustee for the purpose of taking charge of and conducting the business of such state central body during the period of suspension. Such trustee shall have the right, in the name of the AFL-CIO, upon demand, to all of the funds, properties, books and assets of the suspended body for the period he is in charge of such body, such funds and properties to be held in trust for the benefit of the suspended body and to be expended only to the extent necessary for the proper conduct of the affairs of the suspended body. A trustee appointed under this rule may be removed with or without cause by the President at any time and a successor trustee appointed.

- (e) Wherever the charter or certificate of affiliation of a state central body shall have been revoked or suspended, all funds, properties, books and assets of such state central body shall become the property of the AFL-CIO and shall, upon demand, be turned over to a duly authorized representative of the President, and the AFL-CIO shall have the right to immediate possession of all such funds, properties, books and assets in trust until such time as the organization whose charter or certificate of affiliation has been suspended or revoked may be reorganized and be able to conduct its activities and actions in conformance with the Constitution and the bylaws of the AFL-CIO.
- (f) Whenever a demand has been made under this rule or the Constitution of the AFL-CIO for the funds, properties, books and assets of any state central body, and such demand is refused, then all expenses of whatever nature incurred by the AFL-CIO in recovering such funds, properties, books and assets shall be a lawful charge upon the property and funds involved and, on recovery thereof, the AFL-CIO shall reimburse itself from the funds and property recovered.
- (g) Any disciplinary action taken by the President under this rule may be appealed by the individual or organization involved to the Appeals Committee of the Executive Council of the AFL-CIO. Any such appeal shall be filed in writing with the Secretary-Treasurer within 30 days after notice of the disciplinary action being appealed. Appellants shall have the right to appear before the Appeals Committee in support of their appeal. The decision of the Appeals Committee on any appeal taken pursuant to this paragraph may be further appealed to the next succeeding regular convention of the AFL-CIO. Such further appeal shall be filed in writing with the Secretary-Treasurer at least 30 days prior to the opening of the convention. An appellant shall have the right to appear before any appeals committee of the convention and, except in the case of an individual appellant, shall have the right to appear before the convention itself. An individual appellant shall have the right to appear personally before the convention itself only with the consent of the convention.

25. Exhaustion of Remedies

No organization or individual subject to these rules shall resort to any court until all relief within the AFL-CIO as provided for within these rules and the Constitution of the AFL-CIO is exhausted.

26. Appeals

Any final decision of a state central body in a matter requiring a hearing within the central body may be appealed to the President within 30 days after the decision appealed from. The decision of the President may thereafter be appealed to the Appeals Committee of the Executive Council. Any such appeal shall be filed in writing with the Secretary-Treasurer within 30 days after notice of the action being appealed. Appellants shall have

the right to appear before the Appeals Committee in support of their appeal. The decision of the Appeals Committee may be further appealed to the next succeeding regular convention of the AFL-CIO. Such further appeal shall be filed in writing with the Secretary-Treasurer at least 30 days prior to the opening of the convention. The appellant shall have the right to appear before any appeals committee of the convention and, except in the case of an individual appellant, shall have the right to appear before the convention itself. An individual appellant shall have the right to appear personally before the convention itself only with the consent of the convention. During any such appeal the original decision of the state central body, or of the President, or of the Appeals Committee as the case may be, shall remain in effect unless reversed, modified or temporarily stayed.

27. Election Protests

A protest of the election of an officer of a state central body may be made to the President within 30 days of exhaustion of any applicable procedure provided by the constitution or bylaws of the state central body. If the President upholds a protest, in determining the appropriate remedy he may direct that the election be rerun or a new election be conducted, and he may decide the manner of conduct of any such election. The President may direct such other remedies as may be appropriate. The decision of the President may thereafter be appealed in accordance with procedures set forth in Rule 26.

28. Dissolution

A state central body may dissolve only with the approval of the President. Upon dissolution, all funds, properties, books and assets of such body shall revert to the AFL-CIO and shall, upon demand, be turned over to a duly authorized representative of the President. The AFL-CIO will hold all such funds, properties, books and assets in trust until such time that the state central body involved can, if appropriate in the judgment of the President, be reorganized or reconstituted in conformity within the Constitution and bylaws of the AFL-CIO.

29. Ethical Practices

- (a) The officers and managerial employees of state central bodies shall comply with all of the provisions of the AFL-CIO Ethical Practices Code. The President and Secretary-Treasurer of each state central body shall certify in the state central body's Annual Report to the AFL-CIO or on such other form required by the President of the AFL-CIO, that they and the other officers and the managerial employees of the state central body have reviewed the AFL-CIO Ethical Practices Code and are in compliance with it. If not in compliance with the Ethical Practices Code, the officers will state the provision with which they (or the other officers or managerial employees) are not in compliance, the facts that cause them to not be in compliance, the steps they will take to be in compliance and the date by which they will be in compliance. The Constitution

of each state central body shall establish a standing ethical practices committee, in accordance with the AFL-CIO Ethical Practices Code.

- (b) Each state federation shall adopt and implement an anti-discrimination and anti-harassment policy and a code of conduct modeled on the policy and code adopted by the AFL-CIO.

II. Rules Governing Committees on Political Education of State Central Bodies

The following rules are an amendment of and are supplemental to the Rules Governing State Central Bodies and are issued by the Executive Council of the AFL-CIO pursuant to the authority of the Constitution of the AFL-CIO. They shall govern all state central bodies and all their Committees on Political Education. They supersede the COPE bylaws previously issued and revised.

1. Each AFL-CIO state central body shall have a Committee on Political Education (COPE) which shall be a standing committee of the state central body and shall be responsible to the state central body. Each state COPE shall be governed by the applicable provisions of the Constitution of the AFL-CIO, by the Rules Governing AFL-CIO State Central Bodies, including these Rules, by the Constitution and Bylaws of the state central body, and by such special bylaws as may be adopted by the state COPE which are not in conflict with the Constitution, rules or bylaws of the national AFL-CIO or of the state central body. Such special bylaws shall be approved by the state central body in accordance with its established procedures.
2. The state COPE shall be composed of the officers and other members of the executive board of the state central body, the state COPE director if there is one, , and such other members as may be prescribed by appropriate bylaws duly adopted pursuant to Rule No. 29. It shall not be a delegate body, but shall function as a committee.
3. The president and secretary-treasurer of the state central body shall be the chairperson and secretary-treasurer, respectively, of the state COPE.
4. The state COPE shall be responsible for developing and executing approved programs of sound political education to encourage union members and their families to exercise their full rights and responsibilities as citizens and to take their rightful place in the political life of the local, state and national communities.
5. In addition to such other duties as may be assigned by the state central body, the state COPE shall be responsible for planning, initiating, stimulating and assisting campaigns to:
 - (a) Encourage the qualification and registration to vote of members of affiliated unions of the AFL-CIO and their families;

- (b) Ensure maximum voting participation on election day;
 - (c) Encourage qualified candidates to seek public office;
 - (d) Educate members and their families and develop community educational programs on the political issues of the day through study, discussion and other appropriate means;
 - (e) Support or oppose candidates and ballot propositions in both primary and general elections, pursuant to procedures set forth in Rule 40; and
 - (f) Assist, within its geographical jurisdiction, in the effective solicitation of individual voluntary contributions to the AFL-CIO Committee on Political Education Political Contributions Committee.
6. The state COPE shall provide assistance, direction and coordination to the political education work of the local central body COPEs within the state.
 7. The state COPE shall have the power to establish a subdivision in each city, county or congressional district where there is no local central body, but where there is a substantial number of AFL-CIO members. Each such subdivision shall undertake normal local COPE responsibilities and shall be organized so as to be fairly representative of the AFL-CIO unions in the jurisdiction. Such subdivision shall make its recommendations regarding candidates for the state legislature, state constitutional convention, and U.S. House of Representatives directly to the state COPE.
 8. The state COPE shall have the power to establish an administrative subcommittee of which the chairperson and the secretary-treasurer shall be members, to carry on the non-policy functions of the state COPE and to expedite the routine functioning of the state COPE.
 9. The state COPE shall meet at such times as it may determine and shall also meet on call of the chairperson. The chairperson shall also call a meeting of the state COPE upon request of 25 percent of the state COPE's members.
 10. The state COPE shall implement programs designed to achieve full participation of trade union members and their families in the activities of the state COPE.
 11. Files and membership lists are subject to Rule 23 of the Rules of the AFL-CIO Governing State Central Bodies and shall not be inspected or given to anyone except in conformity with said rule and upon written authorization of the state COPE chairperson.
 12. The endorsement procedure of the state AFL-CIO shall be as follows
 - (a) Action by the state AFL-CIO, or by the state COPE when acting for the state AFL-CIO, to support or oppose shall be limited to (1) candidates in primary and general elections for (i) state legislature, (ii) state constitutional convention, (iii) U.S. House of Representative, (iv) U.S. Senate, (v) governor, and (vi) all other statewide offices, and (2) constitutional and other ballot measures.

- (b) Action to support or oppose candidates and statewide ballot measures shall be taken by either the state AFL-CIO at a regular or special convention acting on the report of the state COPE or by the state COPE when duly authorized by the state AFL-CIO.
- (c) It shall be the responsibility of the state COPE to prepare appropriate recommendations concerning candidates and statewide ballot measures for consideration by the state AFL-CIO.
- (d) Action to support or oppose candidates for the state legislature or a state constitutional convention shall be taken only after first considering the recommendations, if any, of the appropriate local central bodies. In the absence of such recommendations, the state AFL-CIO may act on its own initiative.
- (e) Action to support or oppose candidates for the U.S. House of Representatives and the U.S. Senate shall be taken only after considering the information available from the AFL-CIO. In the case of candidates for the U.S. House of Representatives action shall be taken only after considering the recommendations, if any, of the appropriate local central body and other subdivision COPEs established under Rule 36; or, in the absence of such recommendations, the state AFL-CIO may act on its own initiative.
- (f) The state AFL-CIO and the state COPE shall support the action of the national AFL-CIO on candidates for President and Vice President of the United States. No state central body shall make any different endorsements direct or implied, with respect to the offices of President and Vice President of the United States.
- (g) An action to support or oppose a candidate or ballot measure, whether by the state AFL-CIO, or the state COPE when so authorized by the state AFL-CIO, shall require a two-thirds majority of the votes cast. In the absence of a two-thirds majority, either to support or oppose, the state AFL-CIO shall be neutral.
- (h) An action to support or oppose a candidate or a ballot measure may be revoked by the state AFL-CIO, or by either the state AFL-CIO or the state COPE if the state COPE took the action, if that body so decides by a majority of the votes cast.
- (i) The Executive Council recognizes the dilemma state and local AFL-CIO central bodies sometimes confront in determining whether to endorse candidates for political office.

In certain contests the best candidate shows a degree of commitment to labor's goals that is questionable, or his/her record is at best marginal on key AFL-CIO issues. In light of that situation, the State AFL-CIO may make a "limited endorsement" in order to express a preference between two or more candidates in a manner that specifies a restraint or limit in the state AFL-CIO's endorsement and effort for the candidate so endorsed.

13. Officers and members of the state COPE shall conform their activities with regard to candidates and ballot measures to the position of the state AFL-CIO or the appropriate local central body as the case may be.
14. The state COPE shall be financed by the state AFL-CIO and such funds, if any, as are provided by the national COPE, subject to applicable federal, state and local laws.
15. The financial records of the state COPE shall be subject to the reporting and auditing provisions of the constitution of the state AFL-CIO, the Rules of the AFL-CIO Governing State Central Bodies and applicable federal, state and local laws.

III. Ethical Trade Union Standards for Publications Owned or Endorsed by State and Local Central Bodies of the AFL-CIO

(Issued by the President on April 10, 1967)

In order that ethical trade union standards shall be observed by publications owned or endorsed by central labor bodies in conformity with the intent of the Rules of the AFL-CIO Governing State and Local Central Bodies, particularly Rule 22 covering publications and advertising, and in accordance with the powers vested in me by the Constitution of the AFL-CIO, I hereby order and direct:

1. All such publications shall refuse advertising from any firm which resists organization of its employees by any affiliate of the AFL-CIO, and shall not solicit or accept advertising from any firm involved in a strike or lockout, or which is on the unfair list of the central body.
2. In soliciting advertising, the only claim that shall be made is that such advertising may win consumer acceptance or approval of the advertiser's product or service.
3. All advertising, except of nationally advertised standard brands, must carry the name and location of the advertiser, and when pertinent, the identification of the product or service.
4. Publications shall not associate themselves in any form with yearbooks, directories or programs that have as their primary purpose the solicitation of donations under the guise of advertising.

5. Any endorsement conferred upon a privately owned publication shall be by official, recorded action of the central body or its executive board; shall spell out in contract form all terms and conditions of the endorsement and shall provide for withdrawal of the endorsement for cause, which shall include violation of the terms of this directive. In case of such withdrawal, the central body shall make the fact public, with the reasons therefore. If there is a change of ownership or control of an endorsed publication, the contract between the publication and the central body shall be void.
6. Such publications must publish in each issue an accurate statement of such endorsement. Such statement shall give the official name of the endorsing central body, but shall not include the names of the individual unions that are members of the central body.
7. A committee of the central body shall supervise its official publication on a continuing basis to ensure that all provisions of Rule 22 and these ethical trade union standards are observed. Such committee shall report periodically to the executive board of the central body.
8. Any understanding or arrangement between the publisher, editor or owner of any endorsed publication and an officer of the central body, or any officer of an affiliated body, shall be made a matter of record filed with the central body. Any changes in such arrangements or understanding during the life of the contract shall also be made a matter of record.
9. Publishers and/or editors of endorsed publications shall agree, in writing, to observe this directive and all applicable provisions of Rule 22 of the rules of the AFL-CIO governing state and/or local central bodies.

IV. Policy on Involvement of Central Bodies With Commercial and Non-Profit Enterprises

(Adopted by the Executive Council of the AFL-CIO on May 2, 1972)

Increasingly, unions are looked upon by commercial enterprises as profitable channels through which to promote the sale of commodities or services. Endorsements by a central body, advertising in the labor press, issuance of discount cards and the use of mailing lists to reach union members are among the means sought by commercial, profit-making enterprises in an effort to secure a competitive advantage over rival offering substantially the same commodities or services.

Insurance companies particularly are active in such promotions. Officers of central bodies have been offered "cash" money for mailing lists or an endorsement. Labor papers frequently carry special "advertising supplements" containing a business reply card to secure information about a policy "for union members only." Such policies range from health and accident to supplemental hospital and medical insurance. All legitimate and

sound insurance companies have similar policies at similar rates. The chief result of the endorsement of one company by a central body is to give that particular company an advantage in selling its policy to union members. This is of no benefit to the central body or to the union member who buys as a consequence of the endorsement.

Discounts are generally available on most consumer products in one form or another. Unless the central body can negotiate a regular discount substantially lower than otherwise available, no service to members results from an endorsement or the distribution of discount cards or coupons.

For these reasons an endorsement by a central body of a commercial enterprise generally is not sound policy and is contrary to the purposes for which central bodies have been established by the AFL-CIO. No central body may permit the use of mailing lists in its possession for commercial purposes. Nor may a central body permit the use of advertising in a publication owned or endorsed by the central body which seeks to secure a competitive advantage by alleging or implying special prices and/or privileges for union members unless such benefits can be clearly established.

A legitimate distinction must be made between a service-oriented enterprise and a profit-making enterprise. In the former it is frequently possible to materially promote the interests of union members without compromising union principles. An example of a service-oriented enterprise which a central body should support is the organization and establishment of Non-Profit, prepaid, comprehensive group health plans to provide medical services to union members and their families and to the community. The AFL-CIO actively supports such plans and urges the state and local bodies to do likewise.

Some central bodies have become involved in eyeglass and prescription drug programs seeking to furnish the members of affiliated unions with these items at low cost. To the extent that such programs are the result of negotiated arrangements that include adequate control for the central body of prices and quality, and are not merely a means to promote greater sales for the benefit of the business, they are commendable and useful.

No central body may endorse, or engage in, or be involved with a commercial enterprise or non-profit organization unless such participation has been approved by the President of the AFL-CIO.

V. Ethical Practices Code for AFL-CIO Officers and Representatives

1. Every AFL-CIO officer and managerial employee, whether elected or appointed, has a high fiduciary duty and sacred trust to serve the best interests of the members honestly and faithfully.

2. No AFL-CIO officer or managerial employee should own or have a personal financial interest that conflicts with the full performance of his or her fiduciary duties. In particular:
 - (a) No AFL-CIO officer or managerial employee shall have any substantial financial interest in any firm which bargains collectively with the AFL-CIO or with any directly affiliated local union of the AFL-CIO (“DALU”).
 - (b) No AFL-CIO officer or managerial employee shall own or have a substantial financial interest in any firm which does business or seeks to do business with the AFL-CIO or any DALU.
 - (c) For purposes of these rules, a “substantial interest” is one which either contributes significantly to the individual's financial well being or which enables the individual to affect or influence the course of corporate decision making. A substantial interest does not include stock in a purchase plan, profit-sharing plan or ESOP.
 - (d) An AFL-CIO officer or managerial employee shall not be deemed in violation of these prohibitions with respect to any investments, which are held in a mutual fund or a blind trust.
3. No AFL-CIO officer or managerial employee shall accept any *non-de minimis* personal payment of any kind from an employer which bargains collectively with the AFL-CIO or any DALU, or from a business or professional enterprise which does business or seeks to do business with the AFL-CIO or any DALU, other than regular pay and benefits for work performed.
4. No AFL-CIO officer or managerial employee shall receive compensation of any kind from a fund established for the provision of retirement, health or welfare benefits for serving as an employee representative or labor-designated trustee on such employee benefit fund or plan, except for reasonable reimbursement of expenses provided uniformly to such representatives or trustees. A benefit “fund” or “plan” for purposes of this provision means a fund or plan sponsored by the AFL-CIO or a DALU, or in which the AFL-CIO or a DALU participates. It is not a violation of this provision for an officer or managerial employee who is not a full-time employee of the AFL-CIO to be a lawfully paid employee of a retirement, health or welfare fund.
5. No AFL-CIO officer or managerial employee who serves in a fiduciary position with respect to, or who otherwise exercises responsibilities or influence in the administration of, a retirement, health or welfare benefit fund or plan shall have any substantial financial interest in any investment manager, insurance carrier, broker, consultant or other firm doing or seeking to do business with the fund or plan. A benefit “fund” or “plan” for purposes of this provision means a fund or plan sponsored by the AFL-CIO or a DALU, or in which the AFL-CIO or a DALU participates.

6. No AFL-CIO officer or managerial employee shall convert any property belonging to the AFL-CIO to the individual's personal advantage.
7. Every AFL-CIO officer and managerial employee shall carry out his/her AFL-CIO office or appointment in a manner that gives full recognition, in connection with affairs of the AFL-CIO, to the right of union members to assemble freely, attend AFL-CIO meetings, express views, arguments and opinions, nominate candidates for AFL-CIO office, run for AFL-CIO office and vote in AFL-CIO elections, except to the extent such rights are limited by provisions in the constitution and laws of the AFL-CIO and/or relevant AFL-CIO entity. No AFL-CIO officer or managerial employee shall penalize, discipline or otherwise interfere with or retaliate against any union member for exercising such a right in connection with affairs of the AFL-CIO.
8. No person who is convicted of any felony involving the infliction of grievous bodily injury, any crime of dishonesty or any crime involving abuse or misuse of such person's position or employment in a labor organization or an employee benefit fund shall serve as an AFL-CIO officer or managerial employee.
9. This Code shall be enforced by the following process:
 - (a) The President of the AFL-CIO shall appoint a standing Ethical Practices Committee (EPC) consisting of four members of the AFL-CIO Executive Council, serving on a rotating basis, and an elected AFL-CIO Executive Officer.
 - (b) Charges of violations of this Code may be filed only by a member of a union affiliated with the AFL-CIO and must be accompanied by substantiating documentation. Such charges shall be referred to the EPC for review and recommended disposition. A charge alleging the existence of a substantial financial interest by a nonemployee officer of the AFL-CIO in violation of Section 2(a) or 2(b) of this Code shall be dismissed administratively where it is established that the individual in question recused himself or herself from any and all decision making with respect to the firm or firms involved.
 - (c) The EPC shall have the authority to investigate and, where the EPC finds reasonable cause to believe that a violation of the Code has occurred, to bring the matter to an appropriate hearing before an impartial hearing panel drawn from within the AFL-CIO, if the matter is not otherwise resolved.
 - (d) All charges and investigations shall be kept confidential unless and until the EPC finds reasonable cause to bring the matter to a hearing. The EPC shall adopt reasonable measures to ensure that confidentiality is maintained, including enforceable sanctions for breach of confidentiality.
 - (e) Fundamental due process shall be afforded to the individual charged in connection with any such hearing.
 - (f) Following completion of the hearing, the hearing panel shall issue a written

decision containing its findings and recommendations to the AFL-CIO President and Executive Council.

- (g) Where a violation is found, the recommendations shall include an appropriate disposition and/or recommended penalty up to and including removal from service as an AFL-CIO officer (in accordance with procedures of the AFL-CIO Constitution) and/or employee.
 - (h) The Executive Council shall have the final decision in the matter and shall permit the individual charged a reasonable opportunity, upon request, to present his or her position to the Council prior to rendering a final decision.
 - (i) There shall be no retaliation against any AFL-CIO officer, representative or employee for filing a charge alleging a violation of this Code.
10. The substance and procedures of this Code shall be binding upon each AFL-CIO State Federation and Central Labor Council with respect to its own officers and managerial employees, subject to the following:
- (a) Wherever reference herein is made to the AFL-CIO, the corresponding reference shall be to the particular State Federation or Central Labor Council only.
 - (b) References herein to a directly affiliated local union of the AFL-CIO (DALU) shall not apply.
 - (c) Each State Federation or Central Labor Council is responsible for enforcing the substance of this Code through its own Ethical Practices Committee and through procedures consistent with those set forth in paragraph 9 above, subject to review by the AFL-CIO pursuant to Article XIII, Section 3 of the AFL-CIO Constitution.
 - (d) This Code is not intended to address the dealings and conduct of State Federation or Central Labor Council officers and employees in their other capacities as officers, representatives, employees or members of separate labor organizations, whether or not affiliated with the State Federation or Central Labor Council.