

Constitution of the Transit Riders Union

Preamble

Public transportation is in crisis. At a time when unemployment is growing, when wages are falling, and gas prices rising; when global warming and peak oil production threaten the stability of civilization and the future of the planet; public transit should be improving and extending rapidly. And yet everywhere it is being cut back.

The corporate class, which now commands unfathomably large portions of society's wealth, effectively dictates society's transportation policies. With its money, its mass media, its lobbies and loyal servitors in public office, it has seen to it that public transit – indeed, all of our public services – are being starved and stifled, cut and privatized, restructured in such a way as to serve its own profit needs, and funded increasingly at the expense of the working class, and of society in general.

The issue of public transportation is far too important – for riders, for workers, for society as a whole, for the natural environment, and for future generations – to remain under the sway of shameless profiteers.

It is up to poor and working people, now the great majority of the population, to defend and expand public transit. Our strength has always been our numbers, and our ability to *organize* ourselves so that these numbers may exert *power* – the power to shape public policy, and thus determine our own destiny. For this reason, we convene to establish a Union of Transit Riders, under the following Constitution.

Article I – Name

Section 1. The name of this organization is the Transit Riders Union (hereafter "TRU")

Article II - Purpose

Section 1. Mission: The Transit Riders Union is a democratic organization of working and poor people, taking control over our own lives, and building up the power we need to change society for the good of humanity and of the planet. We will fight to preserve, expand, and improve the public transportation system in Seattle and beyond, so that every human being has access to safe, affordable, and reliable public transit.

Section 2. Principles: The decisions of the TRU shall be made on the basis of the following principles, and no decision shall be made that violates any of them.

1. We believe that every human being has a right to safe, reliable, affordable, and accessible public transit.

2. We recognize that, for the future of humanity and of the planet, we must move beyond the car- and fossil fuel-based economy.
3. We believe that the public transit system must be expanded and improved, not merely preserved.
4. We want high-capacity rapid transit, including buses and rail – but not at the cost of cutting off those who need public transit the most.
5. We believe that public transit must be paid for by corporations and the wealthiest section of the population, not by further squeezing poor and working people.
6. We are an organization primarily of poor and working people who depend on public transit; we will achieve our aims by first of all organizing and mobilizing this disenfranchised and growing section of the population.
7. We are a grassroots, participatory, and democratic organization; we believe that the decisions that affect the lives of poor and working people should be made by those people, and not by bureaucrats or corporate elites.
8. We recognize that in order to achieve our transit aims, poor and working people must build up social power, economic power, and political power; we will not hesitate to fight in any of these spheres, as needed for the advancement of our cause.
9. We are independent of all political parties, governments, unions, businesses, and non-profits; however, we may choose to work with any of these in coalition.
10. We will not use, or advocate the use of, violence to achieve our aims; if necessary we may resort to civil disobedience to unjust laws.

Article III – Levels of Involvement

Section 1. There are four ways a member may participate in and contribute to the TRU: as a General Member, as an Organizer, as a Coordinator, or as an Officer.

1. General members are the foundation of the TRU, and determine the policy of the TRU as a whole. General members must satisfy the requirements detailed in Article IV.
2. Organizers are members who take on a greater role in conducting the day to day work of the TRU. Organizers must satisfy the requirements detailed in Article VI.
3. Coordinators are organizers charged with coordinating the day to day work of Organizers. Coordinators shall be elected by and accountable to the organizers, as detailed in Article VII.
4. Officers are members who are elected by the general membership to fulfill a role on the General Council and to represent the TRU, as detailed in Articles VIII and IX.

Article IV – Members

Section 1. Membership shall be open to all persons who support the purposes of the TRU and agree to abide by the Constitution of the TRU as amended from time to time. The TRU shall not discriminate on the basis of race, religion, creed, sex, sexual orientation, gender identity, age, disability, citizenship, national origin, or political affiliation.

Section 2. Membership is first established by submitting a membership application. General members include all those members who fulfill initiation requirements and pay dues as determined by

the general membership in its Membership Policy. Associate members are not required to pay dues, and have no voting rights. (Henceforth, unless otherwise specified, “members” refers to voting members, i.e. general members, organizers, coordinators, and officers.)

Section 3. Membership in good standing requires that dues be fully paid. If a payment is in arrears for over thirty days, voting rights shall be suspended and the member in question shall be considered an associate member. General member status shall be reinstated immediately upon full payment of back dues; or it may be regained by resuming regular payment of dues and fulfilling re-initiation requirements as determined by the general membership in its Membership Policy.

Section 4. Obstruction of the purposes of the TRU may be grounds for disciplinary action, temporary suspension of membership, or expulsion. Disciplinary procedures and process of appeal for members shall be established by the general membership in its Discipline Policy.

Article V – General Membership Meetings

Section 1. At minimum, an Annual Membership Meeting shall be held for the purpose of electing the Officers and conducting other business of the general membership. The time and city of the Annual Meeting shall be established by the general membership at the previous Annual Meeting.

Section 2. Additional Membership Meetings shall be held at a frequency and at times to be determined by the general membership. With the exception of emergency meetings, the time and day of a given meeting shall be determined by the membership at the previous membership meeting.

Section 3. An Emergency Membership Meeting may be called by the General Council with at least forty-eight hours notice. Notice must be given in writing, but the non-receipt of such notice by any member shall not invalidate the proceedings of any Emergency Meeting.

Section 4. A quorum at any meeting of the general membership shall be one-fifth of the total number of those eligible to vote, or twenty votes by actual presence, whichever is the lesser number.

Section 5. Resolutions may be placed on the agenda or brought to a meeting of the general membership by the General Council, by the Organizers Committee, or by a petition signed by five voting members or one-tenth of the voting membership, whichever is the lesser number.

Section 6. An officer or member, chosen in advance by the General Council, shall preside at each Membership Meeting. The attendees of the Membership Meeting may recall the presiding officer or member by a majority vote, and nominate another officer from among the General Council to chair the meeting.

Article VI – Organizers and the Organizers Committee

Section 1. The position of organizer shall be open to all general members in good standing. The requirements for organizers, including meeting attendance and contribution of labor, and the process for removal of organizers who do not fulfill these requirements, shall be determined by the general

membership in the TRU Organizer Policy.

Section 2. The Organizers Committee, a voting body consisting of all organizers and officers, is charged with carrying out the day to day work of the TRU in accordance with the decisions and policies of the general membership and this Constitution, and according to the plans of the General Council, or the plans of whatever committees or subcommittees that have been charged with planning by the Membership. The Organizers Committee is authorized to make decisions about the day to day work of the TRU. Decisions of the Organizers Committee may be subject to reversal by the general membership.

Section 3. Organizers Committee Meetings shall be held at a frequency and at times to be determined by the organizers. With the exception of emergency meetings, the time and day of a given meeting shall be determined by the organizers at the previous membership meeting.

Section 4. An Emergency Organizers Committee Meeting may be called by the General Council with at least twenty-four hours notice. Notice must be given in writing, but the non-receipt of such notice by any member shall not invalidate the proceedings of any Emergency Meeting.

Section 5. A quorum at any meeting of the Organizers Committee shall be one-quarter of the total number of those eligible to vote, or ten votes by actual presence, whichever is the lesser number.

Section 6. Resolutions may be placed on the agenda or brought to a meeting of the Organizers Committee by any organizer, coordinator, or officer.

Section 7. An organizer or officer, chosen in advance by the General Council, shall preside at each Organizers Committee Meeting. The attendees of an Organizers Committee Meeting may recall the presiding organizer or officer by a majority vote, and nominate another organizer or officer to chair the meeting.

Article VII – Coordinators and Work-Groups

Section 1. The various working functions of the TRU shall be carried out by work-groups accountable to the Organizers Committee. Work-groups with specified mandates may be created and dissolved by the Organizers Committee.

Section 2. The function of coordinating the activities of the work-groups shall be assumed by Coordinators elected by the organizers. Coordinator positions with specific mandates may be created and dissolved by the organizers.

Section 3. Coordinators may be elected by a plurality of votes at any meeting of the Organizers Committee. All organizers shall be eligible for election as coordinators, and may be placed on the ballot following a nomination, a second, and their own assent. Coordinators shall be elected for a term of one year or some shorter period as determined by the organizers, and they may stand for re-election. Unless otherwise determined by the organizers, annual elections of coordinators shall take place at the first Organizers Committee Meeting following the Annual Membership Meeting.

Section 4. In the event of the resignation, demise, or removal of any coordinator, the General Council shall assume the duties of the vacant position, or shall appoint a replacement from among the organizers, until at least one new candidate steps forward and an election by the Organizers Committee can be held.

Section 5. Coordinators may be recalled by one of the following procedures. First, the General Council may initiate recall proceedings on its own authority. Alternatively, a petition stating the grounds for the recall and signed by at least ten percent of organizers may be presented to the General Council at least three days before a meeting of the Organizers Committee. A recall election will take place at said Organizers Committee Meeting. Upon initiation of recall procedures, the duties of the named Coordinator shall be assumed by an officer or organizer appointed by the General Council, pending the outcome of the recall election.

Article VIII – Officers and the General Council

Section 1. The Officers of the TRU shall be a General Secretary, an Assisting Secretary, a Recording Secretary, a Treasurer, and some number of Trustees, such that the total number of officers is at least three and does not exceed nine. Trustees may be charged with specific roles by the general membership. Any two or more offices may be held by the same person. Together the Officers shall constitute the General Council.

Section 2. The Officers shall be elected by the membership at the Annual General Membership Meeting, as described in Article X, Section 3 below. Vacant positions may be filled by election at any Membership Meeting, provided members are given thirty days written notice, including a listing of all candidates, and provided that absentee ballots are accepted as outlined below, in Article X, section 3. All Officers shall hold office for a period of one year, and they may stand for re-election.

Section 3. Eligibility to serve as an Officer shall be open to all members in good standing, with the exception described in Article XI below. A member who wishes to stand for election as an Officer may be placed on the ballot in two ways: either by a simple majority vote of the Organizers Committee, or by a nomination petition signed by ten voting members. Nominations must be completed no later than thirty-five days prior to the scheduled date of the election.

Section 4. In the event of the resignation, demise, or removal of any Officer, the remaining Officers shall assume the duties of the vacant position, or shall appoint a replacement from among the membership, until at least one new candidate steps forward and an election by the general membership can be held.

Section 5. An Officer may be recalled by the membership in the following manner: A petition stating the grounds for the recall and signed by at least ten percent of voting members shall be presented to the Acting Secretary (or Acting Chair if the Acting Secretary is the one so charged) at a meeting of the general membership. Grounds to support a recall include dereliction of duty, negligence, or actions not in accordance with the purposes of the TRU. A recall election will take place at the next Membership Meeting, and the duties of the named Officer will be assumed by the other Officers, or by a member appointed by them, pending the outcome of the recall election.

Section 6. If an Officer fails to fulfill the duties of his or her office as set forth in this Constitution, the other Officers shall notify that Officer in writing of such non-performance. If the Officer continues to fail to fulfill the duties of the office, the General Council, by majority vote, may initiate a recall election, to take place at the nearest Membership Meeting. The duties of the named Officer will be assumed by the other Officers, or by a member appointed by them, pending the outcome of the recall election.

Article IX – Duties and Powers of the General Council

Section 1. It is the mandate of the General Council to faithfully represent the TRU and to discharge its duties in accordance with this Constitution and the policies and decisions of the general membership. The General Council is authorized to make decisions on behalf of the General Membership in between Membership Meetings. Decisions of the General Council must be reported to the general membership and are subject to reversal by the general membership.

Section 2. The responsibility for the planning of campaigns or projects shall fall upon the General Council, unless another committee is created by the membership expressly for the purpose. The General Council may delegate any aspects of planning, or planning tasks, to subcommittees composed of members appointed by the General Council, or to Work Groups of the Organizers Committee. It is the responsibility of the General Council to coordinate the work of the Organizers Committee, its Work Groups and Coordinators, in carrying out these plans.

Section 3. The General Council is responsible for proposing agendas for Membership Meetings and Organizer Meetings. Proposed agendas may be amended by a majority vote of eligible voting attendees at each meeting. Alternate agendas may be proposed and adopted in the same manner.

Section 4. Duties and Powers of Officers

1. The General Secretary is the official spokesperson of the General Council and of the TRU. In addition, the General Secretary shall perform all functions that are legally required of a President.
2. The Assisting Secretary shall perform the duties of the General Secretary when the General Secretary is absent or unable to perform them. In addition, the assisting Secretary shall perform all functions that are legally required of a Vice President.
3. The Recording Secretary shall maintain the official copy of the Articles of Incorporation, Bylaws, this Constitution, and all currently approved policies and procedures; maintain the voting list and certify the results of elections; record minutes at General Membership Meetings; and record and compile all actions approved by the General Membership, the Organizers Committee, and the General Council.
4. The Treasurer shall keep all books of account; conduct financial transactions; file all required tax returns and pay all tax liabilities in a timely manner; and prepare an annual financial report for distribution in writing to the membership.

Section 5. The General Council may convene subcommittees, composed of members of the TRU, as it deems necessary to discharge the duties of the General Council.

Section 6. Meetings of the General Council must be approved by the General Secretary or, in the absence of the General Secretary, by the Assisting Secretary. A quorum for a meeting of the General Council shall be a majority of Officers, present in person or by remote communication, and all Officers must receive twenty-four hours notice prior to meetings. Notice must be given by phone or in writing, but the non-receipt of such notice by any Officer shall not invalidate the proceedings of any meeting.

Article X - Voting Rights, Elections, and Amendments

Section 1. Each member in good standing may cast one vote at Membership Meetings, with the exception described in Article XI below. Each organizer may cast one vote at meetings of the Organizers Committee. Associate Members shall have no voting rights. Records of members in good standing and a current list of organizers shall be kept by the Recording Secretary, and updated prior to each meeting.

Section 2. Proxy voting shall be allowed. To be effective, a written and signed proxy shall be delivered to the Acting Secretary prior to the vote during which the proxy representation is to be effective, designating the person who shall vote in place of the member. A written proxy is effective for only one meeting.

Section 3. All Officers shall be elected by a plurality of votes at the Annual Membership Meeting. Notice in writing, including a ballot listing all candidates for officer positions, shall be delivered to all current members at least thirty days prior to the Annual Meeting. Votes may be cast by mailing an absentee ballot to the address specified on the ballot postmarked no later than the date of the Annual Meeting, or by delivery of the ballot to the Annual Meeting. Votes shall be tabulated at the Annual Meeting and certified four days later when all mailed ballots have been tabulated.

Section 4. All actions at Membership Meetings shall be passed by simple majority, unless specified otherwise in Robert's Rules of Order, newly revised, or elsewhere in this Constitution or in the Bylaws, and except for elections and amendments to the Articles of Incorporation, Bylaws, and this Constitution. Such amendments must be passed by a majority of no less than two-thirds of votes cast by members eligible to vote at Membership Meetings. Written notice of proposed changes to the Articles of Incorporation, Bylaws, and this Constitution shall be provided by the General Council to all current members prior to the meeting during which such a vote is to take place.

Article XI – Mitigation of Conflicts of Interest

Section 1. Members employed by or holding official position in organizations that are in potential conflict with the purposes and interests of the TRU are not eligible for elected positions. Their membership and voting rights are subject to and may be limited by provisions laid down by the General Membership in its Conflict of Interest Policy.

Article XII – Financial and Administrative Provisions

Section 1. The General Council may authorize any officer or officers, or agent or agents, to

enter into any contract or execute and deliver any instrument in the name of and on behalf of the TRU. Such authority may be general or confined to specific instances.

Section 2. No loans shall be contracted on behalf of the TRU and no evidences of indebtedness shall be issued in its name unless authorized by a resolution of the General Council. Such authority may be general or confined to specific instances.

Section 3. No loans shall be made by and no credit shall be extended by the TRU to its officers or members.

Section 4. All checks, drafts or other orders for the payment of money, notes or other evidences of indebtedness issued in the name of the TRU shall be signed by such officer or officers, or agent or agents, of the TRU and in such manner as is from time to time determined by resolution of the General Council.

Section 5. All funds of the TRU not otherwise employed shall be deposited from time to time to the credit of the TRU in such banks, trust companies or other depositories as the General Council may select.

Section 6. The powers of the General Council described in Sections 1, 2, 4, and 5 above may be restricted in specific ways by the general membership in its Financial Policy.

Section 7. The General Council is empowered to set an annual budget within the guidelines laid out by the general membership in the Budget section of the TRU's Financial Policy. This Budget Policy shall be reviewed yearly at the Annual Membership Meeting. Any amendments to the budget not expressly allowed by the Budget Policy, such as additional expenditures, must be approved by the membership at a membership meeting.

Section 8. Compensation of Organizers, Coordinators and Officers shall be determined by the general membership in the Compensation section of the TRU's Financial Policy. This Compensation Policy shall be reviewed yearly at the Annual Membership Meeting.

Section 9. The TRU shall keep at its principal or registered office copies of its current Articles of Incorporation, Bylaws, and this Constitution; correct and adequate records of accounts and finances, minutes of the proceedings of its members and officers and any minutes maintained by committees; records of the name, address and class, if applicable, of each member and officer; and such other records as may be necessary or advisable. All records of the TRU shall be open at any reasonable time to inspection by any member of three months' standing or to a representative of more than five percent of the membership.

Section 10. The TRU shall have a seal consisting of the name "Transit Riders Union" and the image of a bus.

Section 11. Unless a different accounting year is at any time selected by the General Council, the accounting year of the TRU shall be the 12 months ending December 31. There shall be an annual review of the TRU's financial books and records as of the closing of each calendar year by an independent accountant or by an auditing committee elected by the general membership and composed

of members who are not officers.

Section 12. The rules of procedure at meetings of the General Membership, Organizers Committee, General Council, and all Work-Groups and Committees shall be rules contained in Robert's Rules of Order on Parliamentary Procedure, newly revised, as far as applicable and when not inconsistent with this Constitution, the Bylaws, the Articles of Incorporation, or any resolution of the aforementioned bodies.

Article XIII – Local Unions

Section 1. The General Council shall have the power to grant charters to local unions. Upon receiving a written petition of not fewer than ten prospective members of a proposed new local, it shall be the duty of the General Council review the matter, and rule as to whether or not a new charter shall be issued. If a charter is granted, the General Council may send a TRU officer or organizer to assist the formation of a new local. Whether or not a new charter is issued, the General Council is required to report the petition at the nearest TRU General Membership Meeting, and to explain its ruling. The ruling of the General Council is subject to reversal by a majority vote of at a General Membership Meeting.

Section 2. Local unions shall make their own decisions and set their own policies. All decisions and policies of local unions must conform to this constitution and to the policies laid down by the general membership of the TRU as a whole. The General Council shall have the power to revoke the charter of any local union that fails to abide by the rules laid down in this Constitution, or by the policies laid down by the TRU General Membership. The General council may also dissolve defunct local unions in the same manner. The procedure of revocation shall be specified by the General Membership in its Local Union Policy. Any union that has revocation proceedings enacted against it by the General Council shall have the right to appeal the decision to the General Membership at the nearest General Membership Meeting. Failure to appear at said meeting shall result in forfeiture of this right. The ruling handed down by the membership at said meeting shall be considered final.

Section 3. Local unions shall have the same internal structure as the TRU, with their own Local Memberships, Local Councils (counterpart to the TRU's General Council), and Local Organizers Committees. All of the relationships and procedures of these bodies shall be governed, mutatis mutandis, by the same provisions as those of of the TRU, contained in this Constitution. The Local Memberships, taken together as a whole, shall constitute the General Membership of the TRU.

Section 4. The General Council is empowered to make decisions on behalf of the TRU in between General Membership meetings, provided that any decisions made by it conform to this constitution and to the policies laid down by the General Membership. If the General Council wishes to make a decision that requires an amendment to this constitution or the TRU policies, then it may get approval in one of the following ways. First, if the decision is in response to an emergency situation, the General Council may call an emergency General Membership Meeting. Second, if the decision is not in response to an emergency situation, but cannot wait until the next scheduled General Membership Meeting, the General Council may submit the decision to local unions of the TRU. Upon ratification of the decision by a majority of local unions, weighted by membership, the General Council shall be authorized to proceed to execute the decision.

Section 5. A portion of the monthly revenue of local unions shall be forfeited to the TRU in the form of a Per Capita Tax, the exact amount or percentage of which shall be specified by the General Membership of the TRU in its Local Union Policy.

Section 6. Local unions shall be named on the basis of the city, county or geographic area where the majority of their work is to take place (e.g. Seattle Transit Riders Union, East Side Transit Riders Union), at the discretion of the General Council. The official seal of each local union shall be the same as that of the TRU, but with the union name written on the bus.