



International Union of Operating Engineers

LOCAL 18 AND ITS BRANCHES • SERVING OHIO
SEVENTEEN-HUNDRED SEVEN TRIPLETT BLVD. • AKRON, OHIO 44306
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Office of
District No. 6



June 30, 2005

Patricia Kohl
410 Stratton S.W.
New Philadelphia, Ohio 44663

Dear Madam and Sister:

The purpose of this letter is to respond to yours of June 2, 2005.

Your reference to Article XL Parliamentary Law of the By-Laws as authority that Roberts Rules of Order is the Parliamentary authority for the conduct of Local 18's various membership meetings is only partially correct.

You failed to note that Roberts Rules of Order shall only govern procedures "not covered by the Constitution, laws, rules, Obligation and Ritual of the International Union or Local Unions subordinate thereto."

As it relates to the approval of the January 9, 2005 membership meeting minutes, your attention is directed to Article XIX Section, 13 of the By-Laws which provides in part as follows:

"The reading of the minutes of the previous meeting...of the general membership and/or of the Local Union's Executive Board may be dispensed with at the discretion of the presiding officer when such minutes have previously been read at the District membership meetings and received approval of such District membership meetings provided...(2) the Districts so approving represent two-thirds of the Districts of the Local Union."

In accordance with Article XIX, Section 13, the January 9, 2005 General Membership and Executive Board meeting minutes were approved at all six District membership meetings, including District 6 on February 14, 2005.

At the District meetings the membership either approve or disapprove the General Membership and Executive Board meeting minutes, they do not have the authority to either amend or correct the minutes. The members disapproving the minutes may note the



basis for their disapproval during a call for questions on the motion and the minutes of the meeting would so reflect.

You are now directed to Article XX Authority of District Meetings, Section 1. While the District membership meetings have the authority to make recommendations to the Local Union and Executive Board, initiate legislation and other specified acts, there is no authority to amend the General Membership or Executive Board Minutes. Paragraph (g) specifically says:

“The District membership meeting shall be without power to consider or act upon any matter not outlined in this Article.”

Roberts Rules of Order is not applicable and your reliance thereon is in opposition to the Local 18 By-Laws approved by a majority vote of Local 18's membership.

As it relates to the District and Advisory Board meeting minutes approval process, your reliance upon Roberts Rules of Order is likewise in opposition to the By-Laws. Article XXI, Section 1 of the Local 18 By-Laws requires as a duty of the District Representative to see to it that the minutes are taken of all District membership and District Advisory Board meetings and that a copy is “attested” by the District Representative and the minutes are filed with Local 18 for approval. Once again, the members at the District meetings may approve or disapprove the minutes, but cannot amend or correct the minutes.

The members, however, at a call for a question on the motion to approve, may express their reasons for objecting and disapproving the minutes and it is so noted in that meeting's minutes. Again, the Advisory Board minutes were approved by the members present.

Since the official meeting minutes are those attested by me you are denied a copy of the handwritten notes of Secretary Kline. I have, however, enclosed herein a copy of the June 6, 2005 Advisory Board meeting minutes and the January 9, 2005 meeting minutes.

As it relates to Bob Welling, I resent the implication that Welling and/or his family is/are a friend or friends of mine and that is how he got his job at Levy. Your allegation of such is untrue, and your publication of same to third parties is libelous and slanderous. I also think having engaged in libelous and slanderous activity that it's disingenuous for you to lecture me on moral rights.

While Levy's agreement does not provide for the mandatory use of the Referral System the Dispatcher went through the referral registration cards advising each qualified registrant of the availability of a job interview with Levy. All refused except Welling, who accepted the interview and was hired.

As it relates to the reasons for the extension of the Levy contract, I have already responded. Under the authority vested in me by the Business Manager, I extended the contract and in exchange thereof, Local 18's members at Levy received guaranteed retroactive pay and fringe increases, all without a strike, during which they otherwise would have received no wages or fringes. I note with interest that you do not work for Levy and a significant majority of the members who do, did not have any objection.

During my tenure as Business Representative and District Representative, I have successfully negotiated approximately 50 collective bargaining agreements ratified by our members working thereunder. Since I am unaware of any contracts you have ever negotiated with any employer, your advice on the subject, while appreciated, is rejected. The members working for Levy will, by their ratification vote, decide the terms of their contract.

Fraternally yours,



Steve DiLoreto
District Representative
Local 18 - Akron office

SD/mmj

Cc: Patrick L. Sink
Kenny Triplett
Dave Kline