

§ 451.5

29 CFR Ch. IV (7-1-05 Edition)

(e) *Local or subordinate bodies which have been chartered by a labor organization.* This category includes any labor organization that has been chartered by an organization within either of the categories discussed in paragraph (b) or (c) of this section as the local or subordinate body through which such employees may enjoy membership or become affiliated with the chartering organization.

(f) *Intermediate bodies.* Included in this category is any conference, general committee, joint or system board, or joint council, subordinate to a national or international labor organization, which includes a labor organization engaged in an industry affecting commerce within the categories discussed in paragraphs (b), (c), (d) and (e) of this section. Excluded from this definition, however, are State or local central bodies.¹³ (It should be noted that the above listing is included in the Act as words of illustration, not of limitation.) The following is a description of typical intermediate bodies:

(1) *Conference.* A conference is an organic body within a national or international labor organization formed on a geographical area, trade division, employer-wide or similar basis and composed of affiliate locals of the parent national or international organization. The various conferences of the International Brotherhood of Teamsters, for example, are in this category.

(2) *General committees.* Typical of those bodies are the general committees of the railroad labor organizations. The term includes any subordinate unit of a national railroad labor organization, regardless of the title or designation of such unit, which under the constitution and bylaws of the organization of which it is a unit, is authorized to represent that organization on a particular railroad or portion thereof in negotiating with respect to wages and working conditions.¹⁴ General committees are sometimes known as system boards of adjustment, general grievance committees, and general committees of adjustment. They are to

be distinguished from system boards of adjustment established under the Railway Labor Act, which are composed of management and labor members. These joint labor-management boards are not included within the definition of a labor organization under the Act.

(3) *Joint or system boards.* As mentioned above, in connection with railroad labor organizations the term “general committee” includes system boards. However, as used here the term has a broader meaning and includes, among others, boards which have members from more than one labor organization.

(4) *Joint councils.* A joint council is composed of locals not necessarily of the same national or international labor organization located in a particular area, such as a city or county. These bodies are sometimes called joint boards, joint executive boards, joint councils, or district councils. Included, for example, are councils of building and construction trades labor organizations.

[28 FR 14388, Dec. 27, 1963, as amended at 42 FR 59071, Nov. 15, 1977]

§ 451.5 “State or local central body.”

(a) The definition of “labor organization” in section 3(i) and the examples of labor organizations deemed to be engaged in an industry affecting commerce in section 3(j)(5) both except from the term “labor organization” a “State or local central body.” As used in these two sections, the phrase *State or local central body* means an organization that:

(1) Is chartered by a federation of national or international unions; and

(2) Admits to membership local unions and subordinate bodies of national or international unions that are affiliated with the chartering federation within the State or local central body’s territory and any local unions or subordinate bodies directly affiliated with the federation in such territory; and

(3) Exists primarily to carry on educational, legislative and coordinating activities.

(b) The term does not include organizations of local unions or subordinate bodies (1) of a single national or international union; or (2) of a particular

¹³For discussion of State and local central bodies see § 451.5.

¹⁴See definition of term “General Committee” under Railroad Retirement Act in 20 CFR 201.1(k).

department of a federation or similar association of national or international unions.

[29 FR 8060, June 25, 1964]

§ 451.6 Extraterritorial application.

(a) It is not the purpose of the Act to impose on foreign labor organizations any regulation of the activities they carry on under the laws of the countries in which they are domiciled or have their principal place of business. The applicability of the Act is limited to the activities of persons or organizations within the territorial jurisdiction of the United States. The foregoing would be applicable, for example, to Canadian locals affiliated with international labor organizations organized within the United States.

(b) On the other hand, labor organizations otherwise subject to the Act are not relieved of the requirements imposed upon them with respect to actions taken by them in the United States or which will have effect in the United States, by virtue of the fact that they have foreign members or affiliates that participate in these actions. For example, a national or international labor organization which conducts its required election of officers by referendum or at a convention of delegates must comply with the election provisions of the Act,¹⁶ even though members of foreign locals participate in the balloting, or delegates of foreign locals participate in the election at the convention.

(c) Similarly, the provisions of the Act with respect to imposition of trusteeships¹⁷ are applicable to United States national or international labor organizations subject to this Act even though the action of the United States organization is taken with respect to a foreign local.

¹⁵ [Reserved]

¹⁶ See § 452.13 of this chapter.

¹⁷ See title III of the Act.

PART 452—GENERAL STATEMENT CONCERNING THE ELECTION PROVISIONS OF THE LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959

Subpart A—General Considerations

Sec.

- 452.1 Introductory statement.
- 452.2 Application of union constitution and bylaws.
- 452.3 Interpretations of constitution and bylaws.
- 452.4 Investigatory provision—application.
- 452.5 Effect of violation on outcome.
- 452.6 Delegation of enforcement authority.

Subpart B—Other Provisions of the Act Affecting Title IV

- 452.7 Bill of Rights, title I.
- 452.8 Trusteeship provisions, title III.
- 452.9 Prohibition against certain persons holding office; section 504.
- 452.10 Retaliation for exercising rights.

Subpart C—Coverage of Election Provisions

- 452.11 Organizations to which election provisions apply.
- 452.12 Organizations comprised of government employees.
- 452.13 Extraterritorial application.
- 452.14 Newly formed or merged labor organizations.
- 452.15 Effect of trusteeship.
- 452.16 Offices which must be filled by election.
- 452.17 Officer.
- 452.18 Constitutional officers.
- 452.19 Executive functions.
- 452.20 Nature of executive functions.
- 452.21 Members of executive board.
- 452.22 Delegates to a convention.

Subpart D—Frequency and Kinds of Elections

- 452.23 Frequency of elections.
- 452.24 Terms of office.
- 452.25 Vacancies in office.
- 452.26 Elections in local labor organizations.
- 452.27 National, international organizations, and intermediate bodies.
- 452.28 Unopposed candidates.
- 452.29 Primary elections.
- 452.30 Run-off elections.
- 452.31 One candidate for several offices.