

CONSTITUTION
OF THE
UNION MUTUALISTA
OF
SAN JOSE



Founded at the Parish of Our Lady of Los Angeles
on April 6, 1919

Incorporated under State Law on October 10, 1921

LOS ANGELES, CALIFORNIA

Religion, Protection, Morality and Labor

Amended at the General Convention Held

in Wilmington, California

Sunday, June 13, 1993

Sunday, April 24, 2004

and

Ratified January 30, 1994

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PREFACE

Taking into consideration the pressing circumstances that burden the worker during his journey down the difficult road of life, a group of them, realizing the need to be united, decided with the consent of Rev. PA. RESA, C.M.F, Rector of the Parish of Our Lady of the Angels, to form the "UNION MUTUALISTA OF SAINT JOSEPH", with the sole and exclusive purpose of assisting each other with spiritual as well as worldly needs. Freedom of action and a spirit of harmony and brotherhood, which help every human being deal with those around him, is the aim. This, like a magnet, draws together the aims of each and every one of the members that formed this Union, in order to successfully carry out the great task that has been undertaken.

If there exists a strong bond in the association, as a consequence we will be able to say that our Union will progress and benefit all those who, having met the required conditions, make use of it. Nevertheless, lest we forget, there exists a force superior to all other forces combined, and it is that of God Almighty, without which nothing could be accomplished. And if we implore Him for help, in a steadfast manner we will march toward success, and He Shall bless our task.

In order to accomplish these goals, this Union not only accepts older men and women, it also admits young people, who, being at the most dangerous period of their lives, need the help and example of those who, due to their age and experience, can give them the advice that will guide them along the road that leads to happiness and help them become men and women sympathetic to the needs of their fellow men and useful to God and to the society in which they may live.

ONE FOR ANOTHER AND GOD FOR ALL

J. R. Riestra

OFFICIAL PRAYER TO SAINT JOSEPH

Blessed Patriarch Saint Joseph, foster Father of Jesus, Spouse of thy Most Holy Mary, Patron and Protector of the Union Mutualista, I devote myself, my family and my actions to thy greater glory and to the service of my Mutualista Brethren.

May you be loved and respected by all men. Help me live according to the motto of the Union, "Religion, Protection, Morality and Labor". Keep me from all spirits of discord and all that may be harmful to the good of the Association. Help the Union Mutualista grow in number and zeal, grant me the holy perseverance so that, after having served you here on earth, I may rejoice in thy Glory in Heaven, so be it.

Blessed Patriarch Saint Joseph:

Pray for Us

Holy Mary Virgin of Guadalupe:

Preserve Our faith and Save Our Fatherland

PREAMBLE

THE CONSTITUTION is the foundation of the Union. It is the guide for those who govern and the axis around which all the activities of our association revolve. It is the source, and that which maintains the balance that must exist between those who govern and those who are governed.

THE CONSTITUTION must always be observed in order to avoid conflict and upheaval among the members, which would only result in hindering the rapid advancement of the Union.

THE CONSTITUTION grants the General Convention the right, in the name of those it represents, to enact or repeal the laws according to the circumstances that may arise, while always looking after the good of the Union and its members.

THE CONSTITUTION may be amended, in case of paramount necessity, by means of a resolution of the Supreme Council, three months in advance of the date of the amendment, through a General Convention.

ARTICLE 1

OBJECTIVES OF THE UNION ANO MEANS OF OBTAINING THEM

Section 1 On the 6th day of the month of April 1919, in the city of Los Angeles, California, U.S.A., the Union Mutualista of Saint Joseph was established. It was incorporated under state law on October 10, 1921. Membership was open to persons of both sexes as long as they fulfilled the requirements established by the Union.

Section 2 The motto adopted by the Union is "RELIGION, PROTECTION, MORALITY ANO LABOR" and shall invariably be the same in all chapters that may be established.

Section 3 The purpose of the Union is to be of mutual aid among its members.

Section 4 In order to obtain the noble objectives which have been proposed, special divisions shall be established as deemed necessary and they shall be governed by their own bylaws.

Section 5 The Union shall establish chapters at places deemed appropriate within the State of California and by means of a petition signed by twelve adult members.

Section 6 Each chapter shall be denominated by the corresponding progressive number.

Section 7 The chapters shall have complete freedom in the performance of their activities, but as for the government, administration and activities that may affect the general order of the Union, they shall be subject to the Constitution, the by-laws, and the resolutions of the Supreme Council.

ARTICLE 2

CONDITIONS FOR MEMBERSHIP IN THE UNION

Section 1 Profess the Catholic and Apostolic faith.

Section 2 Every person who desires to join the Union shall be required to undergo a medical examination, unless the Supreme Council decides otherwise.

Section 3 Have his/her application accepted according to the requirements of the bylaws.

Section 4 The required age for belonging to the Union shall be set by the Supreme Council and specified in the bylaws.

Section 5 Promise to honor and cause others to honor, observe and respect the contents of the Constitution, the by-laws and the resolutions herewith.

Section 6 These conditions may be **modified** as the Supreme Council may deem fit.

ARTICLE 3

CLASSIFICATION OF MEMBERS

Section 1 Members are divided according to the categories established by the Supreme Council. Their dues, benefits, rights and obligations shall be clearly specified in the bylaws. The Supreme Council shall have the power to change them according to the circumstances and solvency of the Union.

Section 2 All Members and directors of the Union shall be subject to expulsion if they breach the rules set forth in the bylaws.

ARTICLE 4

EXPULSION PROCEDURE AND RIGHTS OF APPEAL

Section 1 The Constitution authorizes the chapters of the Union to recommend the expulsion of members who intentionally violate the rules of the Union.

Section 2 The violator shall be justly and impartially admonished at his/her own chapter and expulsion shall only be recommended when there exists palpable evidence of infraction committed.

Section 3 The chapter that recommends the expulsion of a member shall notify the Supreme Council in writing explaining the reasons for said recommendation.

Section 4 If any member of the Supreme Council commits a felony, the President of the Board of Directors of the same shall call together a meeting of the Supreme Council as a whole to see if expulsion need be recommended.

Section 5 Every expelled member who believes that an injustice has been committed in his/her case may appeal to the Supreme Council in writing, so that his/her case may be reconsidered and a final decision rendered.

Section 6 The reasons for the expulsion of members shall always be indicated in the bylaws of the Union.

ARTICLE 5
SUPREME COUNCIL OF THE UNION

Section 1 The general government of the Union consists of a Supreme Council formed by the boards of directors of the chapters which should include: president, secretary, and treasurer.

Section 2 The Supreme Council board of directors shall consist of a president, vice-president, secretary, assistant secretary, treasurer, assistant treasurer, and controller. These are the seven officers that represent the Union before the federal and state governments and shall be elected from amongst the presidents, secretaries and treasurers of the chapters.

Section 3 The Supreme Council shall be authorized to appoint or remove officers from the chapters' board of directors and also from the Supreme Council board of directors.

Section 4 The Supreme Council shall determine the number of representatives that the chapters may send to the meetings of the same.

ARTICLE 6
DUTIES. OBLIGATIONS AND RIGHTS OF THE SUPREME COUNCIL

Section 1 At the time that this constitution comes into effect, the Supreme Council of the Union shall be comprised of the president, secretary, and treasurer from the boards of directors of each chapter.

Section 2 Its (The Supreme Council) obligations are to look after the interests of the Union as a whole.

Section 3 The general offices of the Supreme Council of the Union Mutualista de San Jose shall be in Harbor City, California.

Section 4 This Supreme Council shall act as the main governing agency of the Union. It shall exercise its rights during the period that runs between one convention and another. since it is at the convention that the rights given to said Council shall be upheld or altered.

Section 5 (The Supreme Council) shall be in charge of having the last word on the matter of expulsions, as well as in any other extremely sensitive matter pertaining to the Union.

Section 6 The members of the board of directors of the Supreme Council shall hold their positions for a period of two years. They may only be removed and replaced for just and necessary causes and with the agreement of the Supreme Council.

Section 7 The board of directors of the Supreme Council shall have the power to request information or conduct investigations into any of the divisions that it deems necessary in order to make the required recommendations.

Section 8 Since the Supreme Council board of directors is the main party responsible for the operation of the Union, it shall thoroughly study the resolutions that have been ratified at Conventions and at meetings of the Supreme Council. If these may affect the interests of the Union, a special meeting or a convention shall be called, as necessary.

Sec.9.- The Supreme Council shall have the power to augment or lesson the rights of the board of directors as deemed necessary and through approval at a convention.

ARTICLE 7

CLASSIFICATION OF SUPREME COUNCIL MEETINGS

Section 1 There shall be two types of Supreme Council meetings: Regular and Special. **Two** regular meetings shall be held each year. to be set according to suitable times, days and months. The special meetings shall be held when the Supreme Council or its board of directors deem suitable and necessary and by means of a written notice.

Section 2 All matters agreed upon at the regular and special meetings and the amendments made **during** the Conventions shall become valid and subject to execution once they are duly ratified.

Sec.3.- If for some reason the number of those present at a regular or special meeting is not sufficient, the Suprerne Council board of directors shall postpone the meeting until such time a quorum is present.

ARTICLE 8

SUPREME COUNCIL BOARD OF DIRECTORS ELECTIONS

Section 1 All members of the Board of Directors of the Supreme Council shall be elected only on odd numbered years, i.e., 1995, 1997, 1999, etc.

Section 2 The president and vice-president of the Supreme Council Board of Directors shall be at least 30 years old and shall have belonged to the Union for at least two years, at the time of being nominated as candidates for said positions.

Section 3 The appointments made by the president of the Board of Directors and the chairmen of special committees and commissions shall be submitted to the Supreme Council for its approval and said positions shall be held for two years.

Section 4 The Board of Directors of the Supreme Council shall be elected on a suitable month, day and time, and all of its members shall have a right to vote at the meetings of the Supreme Council.

ARTICLE 9

DUTIES AND POWERS OF THE SUPREME COUNCIL BOARD OF DIRECTORS

Section 1 Resolve items not provided for in the Constitution or in the Bylaws, and if there is a matter of importance and consequence, it shall be presented at the meeting of the Supreme Council, which will render a final decision.

Section 2 Be in charge of the editing and printing of the amendments to the Constitution and bylaws and of distributing them to the chapters so that all members may become acquainted with them. No law shall go into effect without the chapters being notified.

Section 3 Call the meetings of the Supreme Council, indicating the date, time and location of such meetings.

Section 4 Administer funds related to death benefits, administration of **Union property** and any amount that may be under its control, and depositing said funds in a bank under the signatures of the president, secretary and treasurer. In the absence of the president, the secretary, together with the treasurer shall have the power to sign the necessary checks.

Section 5 Assist in the establishment of new chapters whether it be personally or by representatives.

Section 6 Prepare an annual budget covering administrative and publicity expenses and the work program that shall evolve during the year, presenting it to the Supreme Council for approval.

Section 7 Keep in constant contact with the chapter while attempting to lend them guidance and make their work easier.

Section 8 In the case of the dissolution of a chapter, it shall be in charge of retrieving the funds, furniture and files until the chapter reorganizes or a decision is rendered by the Supreme Council.

Section 9 When any chapter's notification of dissolution is received, it must include the signatures of the members who approved such action. Reorganization may be done with no less than three of the ex-members and within a one-year time period.

Section 10 The Supreme Council Board of Directors shall have the power to gather for a meeting upon the decision of the president or vice president. Only in their absence and in the **event** of an emergency may the secretary or treasurer of the Board of Directors call together a meeting of the Council.

Section 11 The Supreme Council shall grant the president the authority and privilege to represent the Union, to decide on some cases according to his judgement and to carry out his management plan. The president shall retain these powers as long as the same Supreme Council deems fit.

Sec.12.- The Directors, as well as the president, will take places according to their title and not according to which duties they actually perform.

Section 13 The duties and obligations of each official shall be specified in the bylaws of the Union.

ARTICLE 10

CHAPTER MANAGEMENT

Section 1 The management of the chapters shall be entrusted to a Board of Directors composed of: President, Vice-President, Secretary, Assistant Secretary, Treasurer, Assistant Treasurer, and Controller.

Section 2 The Constitution grants the chapters the right to appoint committees and commissions that may aid in the progress of their group.

Section 3 The officials of all branches shall be elected during the month of January of even numbered years for a period of two years.

ARTICLE 11

DUTIES AND POWERS OF THE CHAPTER BOARD OF DIRECTORS

Section 1 Resolve items not provided for in the Constitution and bylaws on the condition that they concern the corresponding chapter.

Section 2 Admit, admonish and lend guidance to the members as prescribed by the constitution and bylaws.

Section 3 Administer local funds and authorize expenses approved by the assembly.

Section 4 Maintain correspondence and develop social contracts in accordance with the objectives of the Union.

Section 5 Call meetings and see to it that the Constitution and bylaws are being observed.

Section Upon completion of their term of service or in case of resignation, the funds, furniture and any other objects in their possession that belong to the Union, shall undergo an inventory and shall be handed over to their successors.

Section 7 Have the power to make voluntary collections, at all times in accordance with the assembly.

Section 8 Be obligated to attend the regular and special meetings of the Supreme Council, be it personally or by representatives.

Section 9 In the case of a Convention, delegates shall be elected in accordance with the assembly, and the Supreme Council shall set to it that they attend.

Section 10 Inform the chapter members of the resolutions made at the Supreme Council meetings and of the amendments that are ratified at the Conventions.

Section 11 See that the chapter treasurer draws up, in triplicate, receipts for the amounts received. One copy shall be for the person who paid or donated the sum of money, another for the Supreme Council treasurer's office and the third for the chapter files.

ARTICLE 12
CONVENTIONS

Section 1 There shall be in the nature of a convention, a general assembly consisting of representatives from the various chapters of the Union with the purpose of amending the Constitution and the bylaws.

Section 2 All delegates to all elections, whether regular or special, shall be on active status.

Section 3 Whenever any amendment to the Constitution or the bylaws is not approved by an official of the federal, state or local government, the Supreme Council Board of Directors shall hold a special meeting to take the measures necessary in the given situation.

Section 4 In order to hold a Convention the attendance of the majority of chapter's Boards of Directors that make up the Union must be present along with a delegate for every twenty members or fractional part thereof that make up the chapters of the Union. Each chapter should appoint those delegates from its respective assembly.

Section 5 The delegates to the convention shall be authorized by a credential or letter from their chapter that shall be submitted to the secretary of the Supreme Council Board of Directors for his/her inspection. The chapter president, secretary and treasurer need not be authorized since they are permanent representatives before the Supreme Council.

Section 6 The Convention sessions shall be presided over by the vice-president of the Supreme Council Board of Directors who shall appoint the staff necessary to carry out the convention tasks.

Section 7 The Supreme Council Board of Directors shall summon the conventions.

Section 8 At the Conventions. and at all regular and special meetings, half of the votes plus one shall be a majority and sufficient to legally approve the item.

Section 9 In case of a tie vote, the vote of the chairmen shall be the decisive vote.

Section 10 The member who preside over the Convention shall indicate how much time shall be spent in discussion and may withdraw the right of any member to speak whom he may consider to be out of order. He shall request help from the sergeant of arms committee when deemed necessary.

Section 11 The delegates who attend special or elections meetings, must be an active member.

ARTICLE 13

DISSOLUTION OF THE UNION

Section 1 If for any reason the Union is in danger of being dissolved, the Supreme Council Board of Directors shall call a special meeting of the Boards of Directors that make up the Union, plus one delegate for every 20 members that make up the chapters or fractional part thereof. If it is not possible to resolve the cause of the dissolution, all of the Union's general funds, as well as real estate holdings of the same, shall be transferred to the charity fund of the archdiocese where the union's chapters are located.

Section 2 This article may only be amended through the approval and vote of seventy five percent (minimum) of the general assembly at large.

No. 96699

State of California

Department of State

I, Frank C. Jordan, Secretary of the State of California, do hereby certify that the Articles of incorporation of the

UNION MUTUALISTA DE SAN JOSE

CONTAINING THE REQUIRED STATEMENTS OF FACTS.

to wit: the name of the Corporation aforesaid;

the purpose of which is formed;

the place where its principle business is to be transacted;

the term for which is to exist, the name of its Directors or trustees. and

the names and residences of those who are appointed for the

first year, were this day filed in this office.

Great Seal of the State of California this 10th day of October. 1921.

In witness whereof I have hereunto set my hand and affixed the O.K.

The Great Seal of the

State of California

FRANK C. JORDAN

Secretary of State