

**THE  
CONSTITUTION AND BY-LAWS  
OF**

**I.A.T.S.E. LOCAL 834**

**EXHIBITION EMPLOYEES**



**Revised January 1, 2018**

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## **PLEDGE**

I, the undersigned, as a condition of my membership in Local 834 and in the International Alliance of Theatrical Stage Employes and Moving Picture Machine Operators of the United States and Canada, do solemnly pledge myself to accept and abide by the provisions of the Constitution and By-Laws of this Local and of the Alliance, as now in force and as hereafter legally amended, and hereby express my consent to be governed thereby in the conduct of my trade and in my relationship with this Local and the Alliance for any grievance, but first seek my remedies within this Local and the Alliance, before resorting to any other tribunals.

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Signature of Member, Local 834

## **PREAMBLE**

We, Exhibit Employees of Atlanta, deem it eminently right that we should organize for the development and improvement of our condition, asking for a fair and just compensation, commensurate with the services rendered, so that equity may be maintained and the welfare of our organization promoted, accepting any wise, honorable and conservative mediator as a proper adjuster of any differences that may arise.

# CONSTITUTION

## ARTICLE I

### NAME, AFFILIATION AND JURISDICTION

Section 1. The name of this organization shall be the Atlanta Exhibition & Display Employees Local Union No. 834 International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artists, and Allied Crafts of the United States and Canada, AFL-CIO (hereinafter called the “Local”)

Section 2. This Local has been established and exists by virtue of a Charter issued by the International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artists, and Allied Crafts of the United States and Canada (hereinafter called the “Alliance” or “International”) and pursuant to the Constitution and By-Laws of the International.

Section 3. Jurisdiction of this Local shall embrace the jurisdiction set forth in the Charter granted, and as more fully defined in Article XVIII, Sections 9 and 10 of the International Constitution.

## ARTICLE II

### OBJECTS

Section 1. This Local is dedicated to the principles of trade unionism. Its objects are to unite all workers within its jurisdiction for the following purposes:

(a) To improve their wages and hours of work, to increase their job security and to better their working conditions.

(b) To advance their economic, social and cultural interests.

(c) To establish peaceful and harmonious relations between its members and their employers, and to increase the stability of the industry.

(d) To assure full employment.

(e) To promote and support democracy and free trade unionism.

(f) To engage in such other activities as may be necessary or proper to strengthen the labor movement and to extend the process of collective bargaining throughout all trades and industries.

Section 2. This Local shall endeavor to accomplish the foregoing purposes by organizing the unorganized, educating its membership, negotiating collective bargaining agreements with employers, securing progressive legislation, and by all other appropriate means within the International.

### ARTICLE III MEMBERSHIP

#### Section 1. QUALIFICATIONS FOR MEMBERSHIP.

No person shall be eligible either to membership or to retain membership in this Local who shall be a member of any organization having for its aim or purpose the overthrow, by force, of the Constitution and Government of the United States or Canada.

Any member who shall, upon trial, be found to lack any of the qualifications for membership in this Local, shall forthwith be expelled and shall surrender all rights and privileges as such member, including death benefits and other property rights, if any, in the assets of this Union; and no member so expelled shall ever be eligible to reinstatement thereafter.

Any person applying for membership in this Local must be of good moral character and reputation, and unless waived by the International for proper cause upon application by the Local, must have been a resident for at least eighteen months immediately preceding his application within its jurisdiction.

Such applicant shall be of legal age (18 years old) to engage in gainful employment within the jurisdiction of this Local.

There shall be no discrimination against any person in respect to membership in this Local by reason of race, color, creed, national origin, religion, sex or age.

#### Section 2 APPLICATION FOR MEMBERSHIP.

Every application for membership must be made upon the official printed form supplied by the International to this Local.

Each application must be accompanied by one half the initiation fee (to be returned if application is rejected), which includes a non-refundable \$100.00 registration fee. The remaining half to be paid at the time applicant takes obligation or in three equal payments at thirty (30) day intervals. Any applicant



who is guilty of making false statements upon the application blank shall, if he has been admitted to membership, be expelled upon conviction and shall be thereafter denied admission to membership in this Local. Any initiation fee paid by such member shall be forfeited upon his expulsion.

Section 3. BALLOTING ON APPLICANTS.

Any applicant who has complied with the preceding sections of this Article and who is thereunder, eligible for membership shall be proposed for admission at a regular meeting of the Local.

Such applicant shall not be present when his name is proposed for membership. Open discussion shall be permitted, and at the next meeting of the Local his application shall be balloted upon, and a majority vote of the members present shall be required for the acceptance of said applicant.

ARTICLE IV  
HEADQUARTERS

The headquarters and main office of this Local shall be within the City of Atlanta at such place as may be designated by the Local.

ARTICLE V  
GOVERNMENT

Section 1. SUPREME LAW.

The International Constitution and By-Laws, as well as this Constitution and By-Laws, shall be the supreme law of this Local.

Section 2. REGIONAL & NATIONAL CONTRACTS.

This local shall not commence negotiations or execute or renew a collective bargaining agreement with a regional or national employer until it has notified the General Office in writing regarding the intent to do so. At the option of the International President, an International Representative shall be assigned to participate in the negotiations. No collective bargaining agreement may be executed unless signed by a Representative of the International.

Section 3. MEMBERSHIP MEETINGS.

Regular meetings shall be held each month on the third Monday of the

month at 7:00 PM. If this meeting falls on a holiday it will be moved automatically to the following Monday at 7:00 PM.

The meetings for any three consecutive summer months may be suspended by majority vote of the members present at a regular meeting.

Special meetings shall be called by the President on petition of no less than 2/3 of the members, and no business, other than for which such meeting is called shall be considered thereat.

The President shall not call a special meeting of this Union for the transaction of any business that can and should be transacted at a regular meeting except when the business must be concluded before the next regular meeting or unless, because the business is extensive and time consuming, two thirds (2/3) of the members present at a previous meeting have voted to carry it over to a special meeting.

A majority of the Executive Board as well as the President shall also have the power to call special meetings.

A quorum of 10 members in good standing is required to open a meeting for the transaction of lawful business.

#### Section 4. EXECUTIVE BOARD MEETINGS.

The Executive Board shall meet at least once a month and at such other times as called by the President. A majority of the members of the Board shall have the power to call an Executive Board meeting. All members of the Board shall be notified in advance of such meeting. A majority of the members of the Executive Board shall constitute a quorum.

### ARTICLE VI NOMINATIONS AND ELECTION OF OFFICERS

#### Section 1. ELECTED OFFICERS & ELIGIBILITY.

There shall be elected to office the following officers:

1. President
2. Vice President
3. Business Representative/Corresponding Secretary
4. Financial Secretary
5. Recording Secretary
6. Sergeant-at-Arms
7. Delegates to Atlanta Labor Council & State AFL-CIO

## 8. Delegates to International Convention

The Executive Board shall consist of the President, Vice-President, Business Representative/Corresponding Secretary, Financial Secretary, and the Recording Secretary.

Board of Trustees - to consist of three members, the one receiving the highest vote in the election to be declared the Chairman. If a vote is a tie, the President shall have the power to appoint the Chairman.

To be eligible for office, other than as a delegate, a person must have been a member in good standing in this Local for a period of two years and not disqualified from holding office under any applicable Governmental law. (i. e. convicted felon)

### Section 2. NOMINATIONS.

All nominations must be made at the regularly scheduled meeting in the month of May. No member shall be nominated if absent when his/her name is presented, unless his/her consent to be a candidate has been presented and filed with the Recording Secretary at or before the nominating meeting.

After nominations have closed, the President shall appoint a Judge to have charge of the proper conduct of the election and two (2) Tellers, none of whom shall be candidates, to assist under his direction.

Members shall be notified by mail, of the date, time and place of the meeting at which nominations are to be taken at least fifteen (15) days in advance of such meeting. Such notice shall also state the offices to be filled by election and the manner in which nominations are to be received.

No member shall be entitled to hold more than one office at the same time.

### Section 3. ELECTIONS.

The election shall be held once every three years in the month of June on the designated election day. At such elections, there shall be elected the Officers provided for in Article VI Section 1, of this Constitution and By-Laws.

Notices of Election shall be mailed to all members at least fifteen (15) days prior to elections, specifying the date, time and place of the election and the offices to be filled. Such notices shall be mailed to the members' last known

address.

#### Section 4. ELECTION DAY.

The Judge of Elections, in conjunction with at least one (1) Teller, shall prepare the ballots, tally sheets and the ballot box, or if voting machines are used, shall arrange for same. It shall be the duty of the Recording Secretary of the Local to preserve the ballots and all other records pertaining to the election for a period of one (1) year.

The eligibility of members to vote must be verified.

Every member must have a paid up dues card to receive an official ballot, which he/she shall mark alone inside one of the booths. Before leaving the booth, he shall fold the ballot so as to conceal his vote and deposit it in the ballot box. Any member who, through misfortune, is unable to cast his own vote may call upon the Judge of Elections only to assist him/her.

Upon the polls being declared closed, the Judge shall open the ballot box and have the ballots counted. If the total agrees with the tally, the Judge and Tellers shall then proceed to the official count of the votes for the different candidates. The total of each candidate's vote shall be recorded on a recapitulation sheet, which must be signed by the Judge & Tellers, and delivered to the President at the meeting.

The President shall then read and post the results as soon as the polls are closed and the ballots are counted and those candidates who receive the highest number of votes shall be declared elected.

Any candidate shall have the right to have an observer (who must, however, be a member in good standing of the Local) present at the polls and the counting of the ballots.

Any candidate may distribute campaign literature by mail or otherwise, at the candidate's own expense, to members in good standing. On the day of the election no candidate may campaign within 100 feet of the polling place.

Every candidate shall have the right once within 30 days prior to the election to inspect (but not copy) a list containing the names and last known addresses of all members of this Local.

Elections shall be conducted by secret ballot. Proxy voting shall not be

permissible. Specific information as to who is entitled to receive an absentee ballot as hereafter provided shall also be communicated to the membership.

Members who reside in outlying districts more than 50 miles from the designated balloting place, members who are either confined because of verified illness or on vacation, or official I.A.T.S.E. business approved by the Local or International, or because they are traveling with a show on a road card, or reserve military leave, as the case may be, shall be furnished absentee ballots. Before the absentee ballots are opened and counted, the Judge of Elections shall determine the eligibility of members to vote by that method, as defined in this section.

Any member entitled to receive an absentee ballot shall make written request therefore to the Recording Secretary of the Local by delivering in person or mailing such request not later than 10 days before the election. Within 48 hours after receipt of any such request, the Recording Secretary shall turn the request over to the Election Judge who shall immediately mail the ballot if the records of the Local indicate that the applicant is eligible to vote in the election. The ballot shall set forth the deadline for its receipt by the Local.

Members voting by absentee ballot shall execute and mail their ballots in accordance with the following procedure. After marking an (X) opposite the names of the candidate for whom they wish to vote, and filling in the information required on the detachable portion of the ballot form, the members shall thereupon detach such portion of the ballot and then fold and place the upper ballot portion in a plain envelope without affixing any signature, number, or other means of identification thereon. After being securely sealed this plain envelope shall then be placed, together with the detachable stub bearing the name of the member, address, lodge number, and card number, in an outer envelope bearing the word "BALLOT" on its face. After being securely sealed this envelope shall then be returned by official government mail to the Judge of Elections so that it will be received by or prior to the closing time of the polls specified in the notice of election.

Only those members duly nominated shall be candidates for office (write-in votes for those not duly nominated shall not be counted).

If there is only one candidate for any office, the Recording Secretary shall cast a unanimous ballot for that candidate and same shall dispense with the requirement of a secret ballot vote for that office.

## Section 5. INSTALLATION.

The officers elected shall be installed at the first regular meeting in the

month of July and shall subscribe and assent to the required pledge before entering upon the duties of their office.

## ARTICLE VII DUTIES OF OFFICERS

### Section 1. PRESIDENT.

The President shall preside at all meetings of the membership and of the Executive Board and shall at all times conduct same in accordance with this Constitution and By-Laws and the standing rules attached hereto. For misconduct during the course of a meeting, a member shall be summarily fined in an amount not to exceed \$25.00 for each separate offense, or at the discretion of the President, may be summarily ejected from the meeting if his or her conduct persists in disrupting the meeting.

In the absence of a specific law to govern a given condition, the President shall decide the matter in a spirit of fairness and equity, and such ruling shall be enforced unless changed by the Executive Board or the membership.

He shall see that all officers perform their duties as prescribed by the Constitution and By-Laws and shall be a member ex-officio of all committees.

He shall with the consent of the Executive Board use all moral and financial aid in enforcing the rules, wage scale and conditions of this Local.

He shall appoint the members of all committees.

If a vacancy should occur during the term of any officer of this Local, the President shall call for a by-election to be held, according to the standard election procedure, within 60 days. The President shall also be empowered to appoint Delegates to such conventions or trade assemblies (other than those named in Article VI, Section 1 hereof) as shall be of interest and importance to this Local.

In the event a vacancy occurs in the office of President, the Vice-President shall succeed to the office of President until the vacancy is filled by the membership at a by-election. By-elections for the Presidency must be filled within 60 days after the vacancy was created.

### Section 2. VICE-PRESIDENT.

In the absence of the President, the Vice-President shall assume all duties of the President.

In the absence of both the President and Vice-President at a meeting, the body shall select a presiding officer.

Section 3.           RECORDING SECRETARY.

It shall be the duty of the Recording Secretary to attend all meetings of the membership and of the Executive Board and to keep minutes, but not necessarily verbatim, of the proceedings of such meetings in a book provided for such purposes.

Section 4.           TREASURER.

It shall be the duty of the Treasurer to keep a true and accurate record of all income and disbursements and all assets and liabilities of this Local. He shall prepare payroll, maintain personnel files, retain accurate payroll reports for the office staff's Health and Welfare benefits, and deposit payroll taxes as required by law.

He shall deposit all money in a bank approved by the Executive Board, same to be in the name of the Local, subject to withdrawal by checks signed by himself and the President.

He shall collect all dues, fines and assessments from the members and shall report quarterly to the meeting the standing of all members.

He shall report to the Members at the regularly scheduled monthly meeting the current financial statements of the Local.

He shall deliver to the Chairman of the Board of Trustees for auditing purposes all books and papers in his possession and shall attend such auditing meetings.

He is the custodian of official membership records of the Local. The yearly supplies for the following year mailed to the Financial Secretary in late November include the official forms for filing Quarterly Reports, ordering percapita stamps and acknowledging receipt of such supplies.

He must notify the International each year of the current officers of the Local and their addresses by completing the Officers' Address Card contained in the yearly supplies and forwarding it to the International. This card must be submitted to the International office regardless of whether there have been any

changes from the previous year.

He shall report the admission of new Members, expulsion of Members, the reinstatement of expelled Members and other matters (withdrawal, death or transfer of Members) to the International on the official Quarterly Report form and any information forwarded to be officially entered in the membership records of the International.

He is responsible for keeping the membership records of the International up-to-date. When a Member changes their address, it is his responsibility to relay that information. This can either be done manually by submitting a completed Member's Address Card or via encrypted email using the Electronic Members Address Updates program that is available from the International Office.

Section 5. BUSINESS REPRESENTATIVE/  
CORRESPONDING SECRETARY.

The Business Representative shall supply employers with manpower, assisted by a call steward whom he shall appoint, when called upon to do so. He shall keep a correct list of all work given out, as well as a list of the unemployed.

He shall report to the Executive Board all alleged violations, by members, of the laws of the Local.

He shall perform such duties as ordered by the membership or by the Executive Board between membership meetings. He shall have full charge of the office of this Union, represent the Local in all dealings with employers, but shall at all times be under the supervision of the Executive Board.

He shall be a member, ex-officio, of all negotiating committees. Contracts negotiated by any such committee shall be subject to ratification of the membership unless the membership has in advance empowered the Committee to conclude the contract without ratification.

To assist him in these tasks, he shall have the power to appoint and replace the Local call steward and any other job stewards on an as-needed basis.

He shall keep a duplicate copy of all correspondence and shall keep the seal in his possession.

Section 6. BOARD OF TRUSTEES.

The books of this Union must be audited every six- (6) months by the Board of Trustees, who will make a detailed report of their findings at the next



regular meeting. The Board of Trustees is charged with responsibility of seeing to it that any officers and employees of this Union who handle its funds and property are bonded to the extent and in the amount and form required by law. The expense of such bonds shall be borne by the Local.

The Board of Trustees shall also be responsible for seeing that all books and records of the Local, used as the basis for preparing reports required by law to be filed with the government, are preserved for at least five (5) years from the date such reports were filed.

Section 7. EXECUTIVE BOARD.

The Executive Board shall investigate all complaints of members and decide, if possible, upon all questions in dispute between employer and employee, accepting any honorable means toward an amicable settlement that may be deemed essential to the best interests of this organization.

The Executive Board shall decide upon all matters referred to them by the membership and their decision shall be binding unless reversed by a majority vote of the members present at a regular or special meeting of the Local. The Executive Board shall act as a trial board of this Local unless the member elects to be tried at an open meeting as provided in Article XII Section 15 hereof. They shall have the power to summon as a witness any members and those failing to answer may be adjudged in contempt and penalized for same by fine or suspension.

Section 8. SERGEANT-AT-ARMS.

It shall be the duty of the Sergeant-at Arms to be present at all membership meetings and see that none but members enter the meeting hall and carry out such instructions as are given to him by the presiding officer.

Section 9. DELEGATES TO THE INTERNATIONAL CONVENTION.

The Delegates shall perform their duties as prescribed by the Constitution and By-Laws of the International Alliance and report thereon at the next regular meeting following the Convention.

Section 10. OTHER DELEGATES.

Other delegates shall attend meetings of the Bodies or Conventions to which they are accredited and shall report thereon to the membership at the next regular meeting.

Section 11.           COMPENSATION OF OFFICERS.

The designation of those officers to be compensated for their services and the amount of compensation they are to be paid shall be determined by majority vote of the membership at the regular meeting immediately preceding the meeting at which nominations for office is held and once fixed shall not be reduced during the term of office. Any proposed increase during the term of office of the compensation so fixed shall require a two-thirds favorable vote by secret ballot of the members present at a special meeting.

ARTICLE VIII  
TRANSFER AND REINSTATEMENT

Section 1.           TRANSFER.

Any member of another Local of this Alliance wishing to transfer his membership to this Local shall present his application as a new member together with a transfer card from the union of which he was a member, meeting the requirements of Article III, Sections 2 & 3 of this constitution. The transfer and application must have two (2) readings at two consecutive meetings and at the last reading same must receive the favorable vote of a majority of the members present.

Section 2.           REINSTATEMENT OF MEMBERS.

Any member who has been suspended from membership shall be required to pay a reinstatement fee of \$250.00, together with all financial obligations that may have accrued against him during the period of his suspension.

Any member who has been expelled shall be required to submit a letter requesting reinstatement together with payment of all financial obligations that may have accrued against him during the period of his expulsion. The International, prior to any other action, must approve such requests for reinstatement. The applicants request shall be proposed for re-admission at a regular meeting of the Local. Such applicant shall not be present when his name is proposed for reinstatement into the Local. A majority vote of the members present shall be required for the acceptance of said request. Such member shall receive his original date of admission as his/her initiation date into this Local.

ARTICLE IX  
REVENUES

Section 1.           DUES AND INITIATION FEES.

The dues payable by each member shall be \$65.00 per quarter payable in advance plus 5% of the earnings of members from work under the Local's jurisdiction. The initiation fee shall be \$200.00, which includes the required application fee. The initiation fee may be reduced or waived by vote of the membership for organizational purposes.

Members at least 65 years of age with 25 years of membership in the Alliance may at their option be declared Retired Members provided they fully cease employment under the local's jurisdiction or under the jurisdiction of any other affiliated IATSE local or the International. Retired Members shall have voice but no vote at Union meetings and shall not be eligible to hold office.

#### Section 2. SPECIAL ASSESSMENTS.

If at any time the Executive Board deems it necessary to acquire additional revenue, for the best interest of the Union, it shall recommend to the membership a special assessment.

#### Section 3. INCREASE IN DUES.

The amount of dues provided for herein shall not be increased nor shall any special assessment be levied or increased unless approved upon secret ballot by a majority vote of the members in good standing present at a regular or special meeting, written notice of which has been mailed to the members at least fifteen (15) days in advance.

#### Section 4. INVESTMENTS.

The Executive Board, subject to the approval of the membership, shall be permitted to invest the surplus money of this Local in United States or Canadian Government bonds or other Government securities.

#### Section 5. OUT-OF-TOWN MEMBERS.

Members of other Locals of the Alliance working in the jurisdiction of this Local shall pay the same percentage of weekly earnings as the regular members of this Local may be required to pay but they shall not be required to pay Quarterly Dues to this Local.

#### Section 6. AUTHORITY TO EXPEND FUNDS.

The funds of this Local shall be used to defray the proper operating expenses provided for herein and for other legitimate purposes to accomplish the objects of the Union.

## ARTICLE X GOOD STANDING

Members in good standing of this Local shall enjoy all rights, privileges and benefits of this Constitution and By-Laws.

Failure on the part of any member to pay any financial obligation to this Local within thirty (30) days after same becomes payable shall result in such member being automatically declared not in good standing. A member not in good standing shall be deprived of the right to hold office, to attend meetings, and to vote. If such default continues for a period of more than six months from the date that the financial obligation first became payable and should the member fail to pay up in full his indebtedness within ten (10) days after written notice by certified mail of his default has been sent to him (such written notice to specify the amount due and how such amount was arrived at), the member shall be deemed automatically expelled unless prior thereto, he has been granted an extension of time to pay by vote of the membership.

The term "In Good Standing" as used in this Constitution and By-Laws shall be construed to mean that the member has fully complied with all his obligations to the Local not only financially but in all other regards.

Payment of any financial obligation due by a member to the Local shall be enforceable by fine, suspension or expulsion and, in addition thereto, by resort to court action. If court action is required, the delinquent member shall also be liable to the Local for reasonable legal fees and other expenses incurred by it in connection with the suit.

## ARTICLE XI IMPEACHMENT OF OFFICERS

### Section 1. GROUND.

Charges filed against officers of this Local Union shall be filed

pursuant to Article XII of this Constitution and By-Laws.

## ARTICLE XII DISCIPLINE OF MEMBERS

### Section 1. GROUND.

In addition to the penalties expressly provided under the various sections of this Constitution and By-Laws, any member who shall breach his duty as a member by violation of the express provisions of the Constitution and

By-Laws of this Local or of the Alliance or by such conduct as is detrimental to the advancement of the purposes which this Local or the Alliance pursues, or as would reflect discreditable upon this Local or the Alliance, shall be subject to discipline in the manner set forth in the sections following.

Charges filed against officers of this Local Union shall also be filed pursuant to this Article.

### Section 2. FAIR TRIAL.

Nothing in the provisions of this Constitution and By-Laws shall be construed to deprive a member charged with a violation thereof of the right to a fair trial whereby his guilt or innocence may be determined, with the exception of a member who has defaulted in the payment of any dues, fees, fines, or assessments lawfully imposed under this Constitution and By-Laws shall thereby not be entitled to stand trial, but shall be punished summarily as this Constitution and By-Laws provide.

### Section 3. CHARGES.

All charges against members for a violation of the provisions of this Constitution or By-Laws must be in writing, in the form of a sworn affidavit that recites clearly the offenses charged. The charges must include:

- the name of the accused
- the time and place of the violation
- the nature of the violation
- the section or sections of this Constitution and By-Laws alleged to have been violated
- the signature of the charging party beneath the statement of charges
- a statement of the names of all witnesses to the offense who are known to the accuser

### Section 4. PENALTY FOR PREFERRING FALSE CHARGES.

If false charges shall be maliciously preferred against any member, the person or persons preferring such charges shall be fined \$500.00, the fine to be imposed upon the acquittal of the member accused, plus the expenses of the proceeding.

Section 5. CHARGES FILED IN DUPLICATE.

Charges shall be filed in duplicate, but only the original need bear the seal of the Notary Public before whom the affidavit was sworn.

Section 6. TO WHOM PREFERRED AND WHEN.

Charges shall be filed with the Secretary of the Local Union of which the accused is a member or with the General Secretary-Treasurer of the Alliance where the charges are preferred against a member who does not hold membership in this Local Union.

Charges must be filed with the Local of which the accused is a member within sixty (60) calendar days after the offense becomes known or should have become known to the person making the charge. If the Secretary of this Local be the charged party, the charges may be filed with any officer of this Local who is not a charged party.

Section 6A. CHARGES AGAINST A LOCAL OFFICER.

Charges shall be filed with the Secretary of the Local Union of which the accused officer is a member. If cognizance is taken of the charges, the Executive Board of the Local may, if it deems it necessary or advisable, temporarily suspend the accused from office and, in that event, further payment of salary to such officer shall be withheld pending the outcome of the trial.

If the accused was temporarily suspended from office pending the outcome of the trial, and he is found not guilty after the trial, he shall be immediately reinstated to office with pay for the period he was under suspension.

Whenever an officer of this Local Union as against whom charges are preferred is temporarily suspended from office, such officer shall be entitled to a trial no later than thirty days after the date of his/her suspension. In the absence of extenuating circumstances, failure of this Local Union to comply with the foregoing requirement shall result in dismissal of the charges by the International President.

Section 7. WITHDRAWAL OF CHARGES.

After charges have been filed with the Secretary they shall not be withdrawn unless the member accused shall consent to the withdrawal.

Section 8. PUBLICATION OF CHARGES.

After the Executive Board has taken cognizance of the charges, they shall be read at the next regular meeting by the presiding officer. No debate or discussion shall be permitted, but the presiding officer shall request those have personal knowledge of any of the facts alleged in the charges to submit their names as witnesses to the (Recording) Secretary of the meeting. The presiding officer shall refer the charges to the Executive Board for trial.

Section 9. WAIVER OF TRIAL.

If charges as required by Section 3 hereof have been filed, the accused may plead guilty and waive the holding of the trial provided he does so in written, notarized and witnessed statement and has been advised in writing as to the range of penalties that may be imposed upon him by reason of such plea. If the accused wishes to plead guilty with an explanation, such explanation shall also be in written form. An accused who pleads guilty to charges shall be deemed to have waived his right on any appeal to raise any question concerning his guilt or innocence and his appeal in that event shall be limited to the question of the appropriateness of the penalty or penalties imposed upon him. No stenographic transcript or tape recording shall be required if a plea of guilty is entered in accordance herewith.

Section 10. NOTICE.

Within one week after reference of the charges, the Executive Board shall cause to be served upon the accused personally, or where this is impossible, by registered mail to his last known address, a duplicate copy of the charges, and shall notify him of the time and place appointed for the hearing thereon. Provided, that such notice shall be served upon or sent to the accused at least 15 calendar days prior to the date appointed for the hearing.

Section 11. POSTPONEMENTS.

Should the accused be unable for proper cause to attend the hearing at the time and place designated, he shall, at the discretion of the Executive Board, and upon written application, be granted a postponement or continuance to some place and date agreed upon.

Section 12. APPEARANCE FOR TRIAL.

If the accused so desires, he may waive the right of appearing before the Executive Board for hearing upon the charges preferred against him, or may designate a fellow member as counsel to appear for him and conduct his defense. Provided, that waiver of appearance shall not be prejudicial to the accused, and the trial shall, if he fails to appear, proceed in his absence, the Board hearing all evidence and basing its decision as to the guilt of the accused solely thereon.

Section 13. TRIAL BODY.

The Executive Board shall sit as a trial body to hear all the evidence upon the charges, and to determine the guilt or innocence of the accused, and if found guilty, to make recommendations as to the penalty to be imposed.

Section 14. CHALLENGES.

The accused shall have the privilege of challenging the right of any member of the Board to sit upon his case, and in the event of such challenge, the other members of the Board shall pass upon its validity, sustaining it or overruling it.

Section 15. TRIAL IN OPEN MEETING.

Where the accused shall be aggrieved by the ruling of the Board upon his challenge of an individual member or members, or shall challenge the entire Board for cause, he shall have the election to proceed before the Board, waiving his challenge, or to demand a trial before the members of the Local in open meeting. Provided, that if he elects to be tried in the last-named manner the hearing shall be conducted in the manner set forth for trials before the Executive Board.

Section 16. HEARING.

The accused shall, at the hearing upon the charges, have the right to present his defense in full, and to confront and question all witnesses and to examine all of the evidence of the case.

Section 17. MEMBER COUNSEL.

The accused shall have the right to be represented by counsel, who shall be a member of this Alliance in good standing.

Section 18. WITNESSES SWORN.



Whenever the accused or the Executive Board so requests, the testimony of any witness must be taken under oath, to be administered by the Chairman of the Board.

Section 19. INTERROGATORIES AND DEPOSITIONS.

If a witness be unable to attend the trial, written interrogatories and cross interrogatories, on notice to the adverse party, may be allowed upon due application of the trial body; or a written deposition of his/her testimony may be taken in the form of an affidavit, in which latter case such portions of it as are not denied by the adverse party shall be admitted as evidence.

Section 20. TRANSCRIPT.

A written verbatim transcript of all testimony adduced at the hearing shall be made. The Executive Board may elect to tape record the proceedings and in that event the tape must be fully and accurately transcribed in typewritten form in case of an appeal to the International President.

Section 21. REPORT OF FINDINGS.

The Executive Board shall, after hearing all the evidence, render a written report of its findings as to the guilt or innocence of the accused and, if the accused be found guilty, the penalty to be imposed. A copy thereof shall be filed with the Recording Secretary of the Local and a copy shall be served either personally or by certified mail on the accused within five working days. A copy of the transcript of the evidence and proceedings at the hearing shall be available for examination by the accused or his/her member counsel at the offices of the Local or, if so requested by the accused in writing, a copy thereof shall be furnished to the accused at his or her own expense. Immediately upon receipt of the transcript, the Local shall notify the accused in writing of its availability.

Section 22. ACTION BY MEMBERSHIP OF LOCAL UNION.

At the next membership meeting of the Local but in no event sooner than 20 days from the date on which the accused has been notified of the availability of the transcript or tape recording, the report of the Executive Board shall be submitted to the membership for appropriate action as hereinafter provided. The transcript of the hearing shall not be read except upon motion duly seconded and carried by majority vote of the members present or if so requested by the accused or in any case under the circumstances referred to in

Section 23 hereof.

Section 23. ACQUITTAL OR CONVICTION.

After submission of the report, the accused, if aggrieved by the decision of the Executive Board, shall be afforded an opportunity to speak either in favor of or against such decision. Upon completion of debate the membership shall proceed to vote upon the findings of the Executive Board as to the guilt or innocence of the accused. If a majority of the members present so vote, the findings of the Executive Board shall be adopted. If the findings are not accepted the transcript shall be read unless this has been done heretofore, and the question shall be put whether the accused shall be granted a trial before the membership or whether the membership shall proceed to vote upon the guilt of the accused. If a majority of the members present vote for the latter procedure, a vote shall be taken on the guilt of the accused. If two-thirds of the members present shall vote contrary to the findings of the Executive Board, the findings shall stand reversed; otherwise the findings shall stand upheld.

Section 24. IMPOSITION OF PENALTIES.

If the accused be found guilty, the membership shall then proceed to vote upon the decision of the Executive Board as to the penalty to be imposed. If a majority of the members present so vote, the penalty fixed by the Executive Board shall be adopted. If a majority of the members present reject the penalty decided upon by the Executive Board, the membership shall then proceed to vote upon the penalty to be imposed, the members voting to expel, suspend, fine and/or reprimand. When membership voting on the report of the Executive Board is completed, available remedies within the Local Union shall be deemed exhausted.

Section 25. WHERE TRIAL WAS BEFORE LOCAL.

Where the accused is tried before the Local as provided in Section 15, the guilt or innocence of the accused shall be determined by majority vote of the members present and the penalty shall be imposed as prescribed in Section 23.

Section 26. SENTENCE REPORTED TO  
INTERNATIONAL PRESIDENT.

A report of the sentence imposed upon an accused member shall be forwarded by the President of the Local to the International President of the Alliance for filing.

Section 27. APPEALS.

Appeals may be taken from decisions upon the charges against

members of this Alliance in the manner provided for in Article XIII of this Constitution. Members shall exhaust all remedies by appeal within the Alliance and shall be bound by the decisions of its tribunals as to all their rights.

## ARTICLE XIII APPEALS

### Section 1. RIGHT OF APPEAL.

Any member aggrieved by the decision, rule, regulation, order or any other act or omission or mandate of an Officer of the Executive Board of this Local may, after exhausting his remedies within the Local by appeal to the membership, appeal his case in the following order:

- from the decision of the membership of the Local to the International President of this Alliance;
- from the decision of the International President to the General Executive Board;
- from the ruling of the General Executive Board to the Alliance in convention assembled and the latter body shall be the tribunal of ultimate judgement.

However, in the interim, rulings of any proper tribunal of this Local or the Alliance shall be enforced pending disposal of appeal, unless a stay of the decision has, upon application, been granted.

All appeals by a member to the membership of the Local must be heard within sixty (60) days of the date the appeal was filed or the member may appeal directly to the International President.

### Section 2. TIME ALLOWED FOR FILING.

Appeals shall be cognizable only if filed within thirty (30) days after the decision being appealed is made.

### Section 3. MUST BE IN WRITING.

All appeals to the International must be in writing, setting forth those facts, which the appellant shall consider entitle him to a reversal of the ruling, and signed by the appellant.

### Section 4. COPY OF APPEAL.

When an appeal is taken to the International President from the decision of the Local, a copy of the appeal shall be filed with the Recording Secretary of the Local. Within two weeks the Local shall forward to the International President all the records in the case. If the appeal involves a determination made after trial of charges against a member or officer, the records in the case shall include:

- the sworn charges
- the transcript of testimony
- if a tape recording was made, the original unedited tape recording and a typewritten transcript hereof
- the findings and sentence
- any additional matters of evidence on record

The correctness of the transcript or of the tape recording and stenographic transcript thereof and the record shall be certified by the Local under the appropriate seal.

The Local shall also answer to the appeal, setting forth reasons in support of its decision, and serve a copy of the answer on the appellant.

Section 5. DECISIONS CONCLUSIVE.

The members of the Local shall submit all their rights within the Local and the Alliance first to the determinations of their proper tribunal.

Section 6. EXHAUSTING INTERNAL REMEDIES.

The members further consent to be disciplined in the manner provided by this Constitution and By-Laws, and under no circumstances to resort to outside tribunals until all the remedies therein provided shall have been exhausted.

ARTICLE XIV  
PERMANENCY

This Local shall not dissolve itself while there are fifteen-(15) dissenting Members, nor shall this article of the Constitution be subjected to any alteration or amendment whatsoever.

ARTICLE XV

## ALTERING OR AMENDING THE CONSTITUTION

Alterations or amendments to this Constitution shall be made in writing and have three readings at three consecutive regular month meetings, at the last of which same must receive the favorable vote of at least two-thirds of the members present.

Membership must be notified by mail at least fifteen-(15) days in advance that the final reading of an amendment will be held.

No such alteration or amendment shall, however, be effective until it is endorsed by the International President.

## RULES OF ORDER

1. Opening of the meeting.
2. Roll call of officers.
3. Reading of the minutes of previous meeting.
4. Reading of communications and bills.
5. Obligation of candidates.
6. Reports of committees on candidates.
7. Balloting for candidates.
8. Obligation (or initiation) of candidates.
9. Recess for payment of dues, etc.
10. Report of committees.
11. Unfinished business.
12. New business.
13. Good and welfare.
14. Announcement of receipts of the meeting and Treasurer's Report.
15. Closing of the meeting.

## STANDING RULES

1. No business shall be taken up except in the order prescribed, unless on motion, such irregularities shall be sanctioned by a majority of the members present.

2. No motion shall be received or laid before this Union, unless moved by two members, nor open for discussion until stated by the presiding officer. When a question is before the Union no other motions shall be in order except: *f* first, to adjourn

*f* second, to lay on the table  
*f* third, the previous question  
*f* fourth, to postpone  
*f* fifth, to refer  
*f* sixth, to amend;

which motions shall take precedence in the order in which they are arranged.

The first three shall be decided without debate, unless it is proposed to postpone to a definite period, in which case it shall be debatable.

3. Resolution, amendments to the Constitution and By Laws, and charges against officers and members, must in all cases be presented in writing, otherwise they shall not be considered.

4. The mover of any verbal proposition shall, upon the request of the chair, or two or more members, reduce it to writing.

5. Any member entitled to a vote may move for a division of the question when the sense of the same will admit it.

6. A motion to reconsider any former motion or vote shall only be made and seconded by members who voted in the majority.

7. When the reading of any paper is called for and objected to, the question shall be decided by vote.

8. A division of this Union shall be taken on any question, and recorded at the request of five members.

9. When members speak they shall rise and address the presiding officer confining themselves strictly to the merits of the question under consideration.

A member shall not be interrupted while speaking, unless by the presiding officer, who may call to order, or admonish to a closer adherence to the subject, and to avoid all personalities.

Nor shall a member be allowed to speak more than twice on the same subject without the permission of the presiding officer.

When two or more members rise at once the presiding officer shall decide who shall speak first.

10. On the call of five members for the previous question the President

shall put it in this form: "Shall the question be now put?" and until this is decided it shall preclude all amendments to the main question and further debate shall cease.

11. The officer or member presiding in the absence of the President shall, for the time, possess all the powers and privileges vested in the President by the Constitution and By-Laws of this Union.

12. No subject of a partisan or religious nature shall at any time be admitted.

13. No person who is not a member shall be allowed at any of the meetings without the consent of this Union.

14. In the absence of a standing rule to apply to questions before the Union, recourse shall be had to Roberts Rules of Order.

15. Questions of order shall be decided by the presiding officer; but in case of an appeal from his decision, the meeting shall determine without debate.

16. Refreshments, other than cold water, shall not be allowed in the headquarters of this Union while the meeting is in session.

## BY-LAWS

### Section 1. MEMBERS OF COMMITTEES.

Any member of a committee who shall refuse or neglect to perform his/her duty, shall be removed by the Chairman and/or the President unless a reasonable excuse is given.

### Section 2. SUMMONS.

Any member who is summoned to appear at a meeting of the membership, the Executive Board or legally appointed committee of the Local and fails to appear after receiving due notice of same shall be penalized to such an extent as the Local may see fit, after a fair trial has been held.

### Section 3. ADDRESS OF MEMBERS.

Any member, on changing his/her residence, shall notify the Corresponding Secretary-Treasurer immediately. Any notice sent to the last

address as shown on the books of this Local shall be deemed legal and sufficient notice.

Section 4. DONATION OF SERVICES.

No member shall be permitted to donate his/her services gratis except by permission of the Business Representative under penalty of a fine.

Section 5. CONDUCT UNBECOMING A MEMBER.

Conduct unbecoming a member or that which is contrary to trade unionism, or that which should bring discredit to this Local or Alliance, shall be an offense against this Local, and upon being found guilty thereof after trial, the offending member shall be liable to such penalty as the Local may see fit.

Section 6. MEMBERS INFORMING NON-MEMBERS.

Any member informing any outside parties of the business of this Union shall be fined the sum of \$200.00 or suspended at the option of this

Union. Any member knowing of a member doing so and not reporting it to this Union shall be subject to the above penalty.

Section 7. WORKING FOR UNFAIR EMPLOYERS.

No member shall be allowed to work for any employer that is declared unfair or on Strike, and any member doing so shall be fined \$200.00 and/or suspended or expelled at the option of this Union.

Section 8. OFFICER FAILURE.

Any officer of this Union failing to have the books of his/her office at the meetings of this Union without reasonable excuse shall be fined \$25.00.

Section 9. ROLL BOOK.

The Recording Secretary shall have the roll book at each meeting of this Union, to which each member shall sign his/her name. Failing to do so he/she shall be declared absent.

Section 10. DISHONESTY, DRUNKENNESS, DRUG USE.

Any member dismissed from his/her position for dishonesty, drunkenness, or drug use upon being found guilty thereof, shall be fined no less than \$200.00 and/or suspended by this Local.



This Union shall not support any members who may be discharged through dishonesty, intoxication or incompetency, but will at all time strive to uphold the name of the Union.

Section 11. MEMBERSHIP CARDS.

Each member of this Union in Good Standing shall be entitled to a membership card. All fines and assessments levied against a member must be paid before renewing dues.

Section 12. PAYING BY BAD CHECK.

Any member who gives this Local a "bad check" for payment must pay all future payments for 6 months with cash or money order. Such member must also pay all bank service charges accrued because of his/her "bad check".

Section 13. OFFICERS ABSENT FROM MEETINGS.

Any officer of this Union who is absent for three (3) consecutive meetings shall have his/her office declared vacant unless he/she can give an acceptable excuse.

Section 14. MEMBERS INDEBTEDNESS.

Members indebted to this Union for any money other than the regular dues, assessments and fines and failing to pay same in the allowed time, shall have same charged to them as unpaid dues.