

Constitution and By-Laws

Orlando Exhibition Employees

Local Union 835



**International Alliance of Theatrical Stage
Employes and Moving Picture
Technicians, Artists and Allied Crafts
of the
United States, Its Territories and Canada
AFL-CIO, CLC**

***(Orlando-Cape Canaveral-Cocoa-Melbourne-
Daytona Beach-Lake Buena Vista)***

ORDER OF BUSINESS

1. Introduction of New Members.
2. Opening of the Meeting.
3. Roll Call of Officers.
4. Reading of Minutes.
5. Reading of Communications.
6. Reports of Officers: Business Representative, Treasurer, Committees and Delegates.
7. Resolutions.
8. Unfinished Business.
9. New Business.
10. Good and Welfare.
11. Nominations of Officers and Delegates.
12. Election of Officers and Delegates.
13. Installation of Officers and Delegates.
14. Adjournment.

Preamble

We, the members of IATSE Local 835, Orlando Exhibition Employees, adopt this Constitution and By-Laws to define and establish the purpose and means of our common interest as union members in the tradeshow industry.

We join as one to protect and promote ourselves as industry leaders; to strengthen our job security, to maintain a safe working environment, to secure comprehensive medical and retirement benefits, and to improve our wages and terms of employment in order to advance our economic and social standing in the community.

We shall accomplish these aims through unity, democracy, and service. We shall elect leaders dedicated to the responsible service of our membership, and acknowledge volunteers from within our ranks who serve the collective interest of this body. We shall strive to advance our interests in the public eye, the industry and within the IATSE. Above all, we shall conduct our affairs as union professionals in our industry. We shall always remember that first and foremost we are union.

CONSTITUTION

ARTICLE 1 **NAME, AFFILIATION AND JURISDICTION**

SECTION 1. NAME

The name of this organization shall be Local Union No. 835 Exhibition Employees of the International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artists and Allied Crafts of the United States, its Territories and Canada, AFL-CIO (hereinafter called the "Local").

SECTION 2. AFFILIATION

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, its Territories and Canada, AFL-CIO (hereinafter called the "Alliance" or "International") and pursuant to the Constitution and By-Laws of the International.

SECTION 3. JURISDICTION

Jurisdiction of this Local shall embrace the jurisdiction set forth in the Charter granted, and as more fully defined in Article 18, Sections 9 and 10 of the International Constitution.

ARTICLE 2 **OBJECTS**

SECTION 1. PURPOSES

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 promote 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. AIMS

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 3
MEMBERSHIP

SECTION 1. STRUCTURE

The membership structure of this Local shall be composed of three primary departments, as follows:

Exhibition Department
Freight Department
I&D Department

The assignment of members to their appropriate department shall be the responsibility of the Referral Hall Committee. Members will be assigned to the Department that is their primary source of income.

This assignment shall not affect the Job Referral Procedure.

SECTION 2. ELIGIBILITY

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 assets of this Union; and no member, so expelled shall ever be eligible to reinstatement thereafter.

Such applicant shall be of legal age (18) 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, sex, sexual orientation, or age.

SECTION 3. APPLICATION

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

Each application blank must be accompanied by the \$100.00 initiation fee (to be returned if application is rejected), dues for two quarters, and such processing fee as may be determined by the General Office. This processing fee is not returnable if the application is rejected by the International.

Any applicant who is guilty of making false statements upon the application blank shall, if 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 expulsion.

ARTICLE 4
HEADQUARTERS

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

ARTICLE 5
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. MEMBERSHIP MEETINGS

Regular meetings shall be held each month on the 1st Tuesday of the month at 7:00 p.m.

Special meetings shall be called by the President on written petition of no less than 15 members, and no business, other than that for which such meeting is called, shall be conducted there at.

The President shall have the power to call special meetings and a majority of the Executive Board shall also have the power to call special meetings. Notice of special meetings shall be mailed to all members at their last known addresses.

A quorum of thirty members in good standing is required to open a meeting for the transaction of lawful business. However, if legal notice of nominations for a by-election has been sent then no quorum shall be necessary to have such nominations.

SECTION 3. 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 6
NOMINATION AND ELECTION OF OFFICERS

SECTION 1. ELECTED OFFICERS

The elective officers of this Local shall be the President, the Vice President, the Business Representative/Corresponding Secretary, the Treasurer/Recording Secretary, three Trustees, Freight Executive Board, I&D Executive Board, Exhibition Executive Board, Executive Board-at-large of four members, the Delegates and Alternate Delegates to the International and Fourteenth District Conventions, and the Florida AFL-CIO Convention.

SECTION 2. ELIGIBILITY

In order to be a candidate for all offices other than delegate, for which all members are eligible for nomination, a candidate must have been a member of this Local in continuous good standing for not less than two years prior to the date of the election and be a journeyman member of the Local.

In order to be a candidate for the Freight Executive Board position the candidate must be a member of the Freight Department. In order to be a candidate for the I&D Executive Board position the candidate must be a member of the I&D Department. In order to be a candidate for the Exhibition Executive Board position the candidate must be a member of the Exhibition Department.

SECTION 3. NOMINATIONS

Nominations of officers and delegates to conventions shall take place during the regular meeting in October after written notice has been sent to each member at least fifteen days prior to the day of nominations.

No member shall be nominated if absent when his name is presented unless his written or electronically submitted consent to be a candidate has been presented and filed with the Secretary at or before the nominating meeting.

No member may be nominated for more than one elected office other than delegate. If nominated for more than one office, the member shall be required, prior to the close of nominations, to designate the office for which he or she wishes to run; failing to so designate, he or she shall be a candidate for the office for which he or she was first nominated and shall be deemed to have declined the other nomination.

The President shall appoint a Judge to have charge of the proper conduct of the election and four Tellers to assist him, none of whom shall be candidates.

In the case of By-Elections, notice of nominations and election may be made in the same letter provided that each and every member may have ample opportunity to nominate candidates of his choice.

Nominees shall have three days to decline a nomination. Declinations must be in writing.

SECTION 4. ELECTIONS

Election of officers and delegates to conventions shall take place on the day of the regular meeting in November after written notice containing the names of the offices to be filled has been sent to each member in good standing at least fifteen days prior to the elections.

Elections shall be in the regular meeting hall.

The Election Committee shall verify the eligibility of each candidate to run for office. The legal name of each candidate should be listed on the ballot. The ballots shall be printed on the fourth day after nominations or as soon as possible thereafter. A certification as to the number of ballots printed and delivered should be obtained from the printer.

The Election Committee shall get together with the proper union officials to compile a voter eligibility list. The eligibility list shall include the member's full name and last known address.

An official ballot shall be sent to all members by first class mail.

All correspondence between the members and the Election Committee must be by the first class mail and addressed to the Election Committee. The Election Committee shall arrange for all mail to be held at the post office. Only the Election Committee members can sign for the mail.

The Election Committee shall determine the member's eligibility to vote. The Election Committee shall mail a ballot kit and voting instructions to eligible voters, or notify them that they are ineligible to receive one and why.

Ballot kits shall include the following:

- a. One official unmarked ballot bearing the Local's seal.
- b. Voting instructions.
 1. Place the marked ballot in the return – addressed envelope.
 2. Mail the return – addressed envelope by first class mail.
 3. Be sure to mark and mail your ballot in time to arrive at the designated address before (time, month, day, year).
 4. Ballot secrecy can be maintained only if you follow instructions and personally mark and mail your ballot.
- c. One return – addressed stamped envelope with voter identification.
- d. A statement that descriptions of the duties of officers can be found in Article 7 of the Local 835 Constitution and By-Laws.

Voting instructions on the ballot should include the following:

Place a mark next to the names of the candidates of your choice. Do not mark the ballot in any other way.

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

On election day, the Judge of Elections, in conjunction with at least one teller, shall procure the ballot box, tally sheets and ballots with voting instructions. In the event all candidates are unopposed the secretary will cast a unanimous ballot at the regular monthly membership meeting.

In casting the mail-in ballots, Election Officials should:

- a. Establish the identity and eligibility of the voter.
- b. Separate the ballot from the return envelope and drop it in the ballot box, preserving the return envelope.

After casting all of the ballots the Election Officials should:

- a. Remove all ballots from the ballot box.
- b. If there is (are) any candidate(s) running unopposed, the Judge may dispense with the requirement of a secret ballot vote for that office, provided that the unopposed candidate(s) receive at least one vote.
- c. Tally the ballots by reading the voter's choice for each office entering the result on the tally sheet.
- d. After the ballots have been counted and the recapitulation prepared, if the number of ballots cast exceeds the eligible number of voters, the Judge of the Election shall decide whether or not the difference would have material effect upon the election. If adding this excess to the ballot of any candidate would have changed the result of the election for any office then the election for such office shall be declared void by the Judge of the Election and another election shall be held at the next regular monthly meeting for that office. Similarly, if the number of ballots cast falls short of the eligible number and if the ballots unaccounted for would be sufficient to change the final standing of the candidate for any office, then the election for such office shall be declared void. Where, however, the number of ballots unaccounted for or in excess of the number shown by the voting list would not be sufficient to effect the change in successful candidates, the election shall be declared valid.
- e. In the event of a tie vote, a run-off election shall be held on the day of the next regular monthly meeting.
- f. When the recapitulation has been completed the Election Officials should initial or sign the tally sheets, certifying their accuracy. All election materials should then be turned over to the Secretary of the local.

The President, Business Representative/Corresponding Secretary, Treasurer/Recording Secretary, Vice-President, Exhibition Executive Board, Freight Executive Board and I&D Executive Board offices shall be elected by majority vote. If no candidate receives a majority of the votes cast for one of these offices, then a runoff election will be held on the following meeting day between the candidates who received the highest and next highest number of votes for that office. All other officers shall be elected by plurality vote. The candidate for Trustee receiving the highest vote in the election shall be declared the Chairperson. If the vote is a tie, the President shall have the power to appoint the Chairperson. The candidate(s) for delegate receiving the highest vote in the election shall be the delegate(s) and the remaining candidates in order of votes tallied shall be alternates.

The Corresponding Secretary shall preserve the ballots and all other records pertaining to the election for a period of one year.

All officers shall be elected for a period of three years, in accordance with the International Constitution.

SECTION 5. INSTALLATION

The newly elected officers shall assume their stations on the 1st day of the month following the election except in the case of a runoff election or a by-election. In the case of a runoff election or a by-election, the elected officers shall assume their stations on election day. They shall subscribe to the following pledge before entering upon the duties of their offices. The Sergeant-at-Arms shall dictate:

“I, (pronounce your full name and repeat after me), do hereby pledge my word of honor to perform the duties of my office as set forth in the Constitution and By-Laws of this Local to the best of my ability and to bear true allegiance to the International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artists and Allied Crafts of the United States, its Territories, and Canada.”

“At the close of my official term, I solemnly promise that I shall deliver to my successor in office, all property in my possession belonging to the Local or the International Alliance.”

“To these promises, I pledge you my word, fully realizing that to violate this pledge is to stamp me a person unworthy of trust.”

Sergeant: “You have obligated yourself to faithfully and to the best of your ability, discharge the duties of your office. You will now proceed to your station and perform the duties of that office and so conduct yourself as to be worthy of the trust reposed in you.”

ARTICLE 7 **DUTIES OF OFFICERS**

SECTION 1. PRESIDENT

The President shall preside at all meetings of the membership. He shall at all times conduct same in accordance with this Constitution and By-Laws. He shall acquire a working knowledge of parliamentary law and procedure and a thorough understanding of this Constitution and By-Laws and the International Constitution and By-Laws.

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 rulings 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 have oversight of all committees.

He shall appoint the members of all committees. He shall appoint a Sergeant-at-Arms at each meeting.

If a vacancy should occur during the term of any officer of this Local, the President shall have the power to appoint a member in good standing to fill the vacancy pending nominations at the next meeting and a by-election at the following meeting.

The President shall also be empowered to appoint delegates to such conventions or trade assemblies (other than those named in Article 6, Section 1 hereof) as shall be of interest and importance to this Local. In the absence of the Business Representative/Corresponding Secretary the duties of the Business Representative/Corresponding Secretary shall be assumed by the President.

In the event a vacancy occurs in the office of President, the Vice President shall succeed to the office of the President until the vacancy shall have been filled by the membership at a By-Election.

He shall by virtue of his office, be a member of the Executive Board and a Delegate to all Conventions and Associations.

The President shall receive a monthly stipend.

SECTION 2. VICE PRESIDENT

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

He shall acquire a working knowledge of parliamentary law and procedure and a thorough understanding of this Constitution and By-Laws and the International Constitution and By-Laws.

He shall, by virtue of his office, be a member of the Executive Board. In the absence of the President and Vice President, a meeting shall be called to order by the Treasurer/Recording Secretary and the body shall elect a President pro tem.

SECTION 3. BUSINESS REPRESENTATIVE/CORRESPONDING SECRETARY

The Business Representative/Corresponding Secretary shall write and answer all communications pertaining to this Local requiring attention. He shall keep a record of all business transactions pertaining to his office. He shall attest all drafts of the Treasurer/Recording Secretary and keep a roll of all members and their addresses.

The Business Representative/Corresponding Secretary shall keep the records of the Local pertaining to his office in his possession and they shall not be taken from him except by order of the Local. However, any member in good standing shall have the liberty to examine these records. The Business Representative/Corresponding Secretary shall be the official custodian of the local's records.

He shall mail notices of special meetings to all members at their last known addresses.

In case of nomination or election of officers the notices shall be mailed fifteen days in advance and shall include the date, time and place of the meeting, a list of the offices to be filled and the method of nomination.

The Business Representative/Corresponding Secretary shall handle business matters of the Local between meetings. However, all decisions are subject to the approval of the Local at the next regular meeting. The Business Representative/Corresponding Secretary shall negotiate all contracts on behalf of the local and present them for ratification to the members, subject to the provisions of the International Constitution and By-Laws. The Business Representative/Corresponding Secretary shall notify the President not less than one hundred twenty (120) days prior to the expiration of all contracts of the date of said expiration. Furthermore, a special meeting shall be called at least ninety (90) days prior to the expiration of said contract for the purpose of membership input and discussion.

The Business Representative/Corresponding Secretary shall supply employers with manpower in accordance with the Job Referral Procedure of this Local. He shall keep a record of the hours worked and the earnings of each member and referent. He shall investigate and report to the Executive Board all alleged violations of the laws of the Local committed by members.

He shall by virtue of his office, be a member of the Executive Board and a Delegate to all Conventions and Associations.

He shall submit a written report of all interim business matters at each regular meeting.

He shall appoint any Assistant Business Representatives subject to approval 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.

He shall have full charge of the office of this Local and shall be bonded in accordance with federal law.

The Business Representative/Corresponding Secretary shall be paid a weekly salary with health and retirement benefits.

SECTION 4. TREASURER/RECORDING SECRETARY

The Treasurer/Recording Secretary shall keep a true and accurate record of all income, disbursements, assets and liabilities of this Local. He shall acquire a working knowledge of general accounting principles. He shall submit a quarterly itemized financial report at the regular meeting of that month subject to approval of the Trustees. He shall report at the regular meetings all members whose financial obligations are delinquent. He shall see that all reports are properly filed with government agencies and the International union.

He shall collect all dues, referral fees, fines and assessments from the members. He shall immediately report to the Business Representative/Corresponding Secretary any member not in good standing and shall report the same to the membership at the regular meeting.

He shall keep a record of all business transactions pertaining to his office and the minutes of all regular meetings, special meetings and Executive Board meetings. The Treasurer/Recording Secretary shall conduct the roll call of officers at all regular meetings and record the results in the minutes. He shall keep a register that members shall sign at each meeting.

The Treasurer/Recording Secretary shall deposit all moneys in such bank and saving institution as designated by this Local subject to withdrawal by checks signed by the Treasurer/Recording Secretary, the Business Representative/Corresponding Secretary or one additional check signer designated by the Treasurer/Recording Secretary. All checks shall require two signatures. He shall pay all bills. He shall sign all certificates of membership. He shall be bonded in accordance with federal law.

The Treasurer/Recording Secretary shall affix a quarterly stamp to each member's membership card upon receipt of dues for each quarter.

The Treasurer/Recording Secretary shall be paid a monthly stipend. He shall hold the bonds of the officers and employees of the Local, the cost of which shall be borne by this Local.

He shall by virtue of his office, be a member of the Executive Board and a Delegate to all Conventions and Associations.

SECTION 5. TRUSTEES

The Trustees shall have oversight of the financial concerns and all physical property belonging to the Local. They shall audit the quarterly report of the Treasurer/Recording Secretary and report their findings to the membership at the next monthly meeting.

SECTION 6. EXECUTIVE BOARD

The Executive Board shall consist of the President, the Vice President, the Business Representative/Corresponding Secretary, the Treasurer/Recording Secretary, the Freight Executive Board member, the I&D Executive Board member, the Exhibition Executive Board member and four at-large members elected by the Local. The Executive Board shall decide upon all matters referred to them by the Local between meetings 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 elect the chairperson of the Executive Board.

The Executive Board shall investigate all complaints of members.

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 11, Section 16 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.

There shall be a minimum of one meeting per month which all elected board members shall attend.

SECTION 7. SERGEANT-AT-ARMS

The Sergeant-at-Arms shall see that no one but members or invited guests enter the meeting hall, assist the Treasurer/Recording Secretary in the roll call of officers and carry out such instructions as are given him by the presiding officer.

SECTION 8. DELEGATE TO 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.

A Delegate shall receive transportation and per diem as indicated by General Services Administration (GSA) plus eight nights lodging at the Convention hotel rate for single occupancy. The Delegate shall also receive compensation equal to one week of the Business Representative/Corresponding Secretary's salary. The Delegate shall return to this Local all per diem paid by the International.

SECTION 9. OTHER DELEGATES

District or State Convention Delegates shall attend all meetings and report there on at the next regular meeting following the convention. Delegates shall receive a daily stipend of eight (8) hours paid at the Journeyman Deco rate while doing duties as a delegate at a convention or conference, along with lodging and transportation plus per diem as indicated by General Services Administration (GSA).

There shall be Delegates elected to each AFL-CIO Central Labor Council in which Local 835 has members based on the membership ratios for Delegates set by the Florida AFL-CIO. Delegates shall endeavor to attend their appropriate Central Labor Council meetings.

SECTION 10. 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 each regular October meeting and once fixed shall not be reduced during the term of office. Any proposed increase during the term of office, except at the October meetings, of the compensation so fixed shall require a two-thirds favorable vote by secret ballot of the members present at a meeting. Officers and members shall be reimbursed for reasonable business expenses that are approved by the members at a regular monthly meeting.

ARTICLE 8 **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 local union of which he was a member.

SECTION 2. REINSTATEMENT OF MEMBERS

Any member who has been suspended from membership shall be required to pay a reinstatement fee of \$25.00 dollars, together with all financial obligations that may have accrued against him during the period of his suspension.

SECTION 3. HONORABLE WITHDRAWAL CARD

Any member, in good standing, may request an honorable withdrawal card. Members requesting an honorable withdrawal card must declare in writing and under oath that he or she will not continue to work in any of the crafts covered by the Local. Also, said member will be required to pay all past per capita fees as provided in the International Constitution. No holder of an honorable withdrawal card will be reinstated or readmitted to membership until the International union has approved such reinstatement or readmission.

ARTICLE 9 **REVENUES**

SECTION 1. DUES, INITIATION, AND PERCENTAGE

The dues payable by each member shall be not less than \$15.00 more than the dues rate established by the International per quarter payable in advance which shall include the International's Defense Fund assessment. Each member shall pay the appropriate referral fee for work performed as an exhibition employee. The initiation fee shall be \$100.00, but may be reduced or waived by vote of the membership for organizational purposes. The International processing fee, currently \$100.00, shall be paid by the applicant.

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 a voice, but no vote at the 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 Trustees and Treasurer, subject to approval of the membership, shall be permitted to invest the surplus money of the Local.

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 10 **GOOD STANDING**

SECTION 1. DEFINITION

Members in good standing of this Local shall enjoy all rights, privileges and benefits of this Constitution and By-Laws. Members must be current in all financial obligations to the Local to be eligible to attend meetings or participate in any other benefits of this Local.

Any member more than three months in arrears for dues or other financial obligations shall result in such member being automatically declared not in good standing and immediately suspended. A suspended member shall not be allowed to run for or hold office and shall not be allowed to participate in any other benefits of this Local. A member suspended for delinquency shall not be reinstated until all indebtedness has been justified.

Any member becoming more than six months in arrears for dues or other financial obligations shall be notified of his delinquency by certified mail and shall be stricken from the rolls of membership unless full payment is received within ten days from the date of receipt of the letter or unless he has been granted an extension of time to pay by a two-thirds vote of the members present at a meeting. He shall not be reinstated until all claims due at the time he was stricken from the rolls have been paid.

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.

ARTICLE 11 **DISCIPLINE OF MEMBERS**

SECTION 1. GROUNDS

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 International Constitution and By-Laws or the local union's Constitution and By-Laws or by such conduct as is detrimental to the advancement of the purposes which this Alliance pursues, or as would reflect discreditably upon 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 be filed pursuant to this Article, except as provided in Article 7, section 5(e) of the International Constitution.

SECTION 2. FAIR TRIAL

Nothing in the provisions of the International Constitution and By-Laws or the local union's 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 that a member who has defaulted in the payment of any dues, fees, fines or assessments lawfully imposed shall not be entitled to stand trial, but shall be punished summarily as this Constitution and By-Laws provide.

SECTION 3. CHARGES

All charges against a member of this Alliance for a violation of the provisions of the International Constitution and By-Laws or the local union's Constitution and By-Laws must be in writing, in the form of a sworn affidavit, reciting clearly the offense charged, the name of the accused, the time, place, and nature of the violation, over the signature of the accuser, together with a statement of the names of all witnesses to the offenses charged who shall be known to the accuser.

SECTION 4. PENALTY FOR PREFERRING FALSE CHARGING

If false charges shall be maliciously preferred against any member, the person or persons preferring such charges shall be fined Five Hundred Dollars (\$500.00), the fine to be imposed upon the acquittal of the member accused.

SECTION 5. CHARGES FILES 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 Business Representative/Corresponding Secretary of the Local within sixty (60) calendar days after the offense becomes known or should have become known to the person making the charge. If the Business Representative/Corresponding Secretary of the Local is charged, the charges may be filed with any other officer of the Local not under charges.

SECTION 7. CHARGES AGAINST A LOCAL OFFICER

Charges against a Local officer shall be filed with the Business Representative/Corresponding Secretary of the Local. 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 of 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 not found guilty after the trial, he shall be immediately reinstated to office with pay for the period he was under suspension.

Whenever an officer of a 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 suspension. In the absence of extenuating circumstances, failure of the local union to comply with the foregoing requirement shall result in dismissal of the charges by the International President.

SECTION 8. WITHDRAWAL OF CHARGES

After charges have been filed with the Business Representative/Corresponding Secretary of the local union they shall not be withdrawn unless the member accused shall consent to withdrawal.

SECTION 9. PUBLICATION OF CHARGES

After the Executive Board has taken cognizance of the charges, they shall be read at the next regular meeting of the local union by the presiding officer. No debate or discussion shall be permitted, but the presiding officer shall request those having personal knowledge of any of the facts alleged in the charges to submit their names as witnesses to the Treasurer/Recording Secretary of the meeting. The presiding officer shall refer the charges to the Executive Board in accordance with this Constitution and By-Laws.

If no regular membership meeting is scheduled within a period of 30 days after the date of cognizance of the charges taken, or if a meeting is scheduled but no quorum is present, the charges shall then be read by the presiding officer at the meeting of the Executive Board, to be scheduled no later than 10 days after the end of such 30-day period.

SECTION 10. 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 a 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 11. NOTICE

Within one week after reference of the charges, the Executive Board shall cause to be served upon the accused personally or by certified 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 or sent to the accused at least fifteen calendar days prior to the date of the hearing.

SECTION 12. 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 application, be granted a postponement or continuance to some place and date agreed upon.

SECTION 13. APPEARANCE FOR TRIAL

If the accused so desires, he may waive the right of the 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 the defense. Provided, that waiver of appearance shall not be prejudicial to the accused, and trial shall, if he fails to appear, proceed in his absence. The Executive Board hearing all evidence and basing its decision as to the guilt of the accused solely thereon.

SECTION 14. TRIAL BODY

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

SECTION 15. CHALLENGES

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

SECTION 16. TRIAL IN OPEN MEETING

Where the accused shall be aggrieved by the ruling of the Executive Board upon his challenge of an individual member or members, he shall have the election to proceed before the Executive Board, waiving his challenge, or to demand trial before the members of the local union 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 17. 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 the evidence of the case.

SECTION 18. 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 19. WITNESS SWORN

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

SECTION 20. 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 to the trial body; or a written deposition of his 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 21. TRANSCRIPT

A written transcript of all testimony adduced at the hearing shall be made, provided, however, that in the event the Local elects to tape record the proceedings, such recording must be fully and accurately transcribed by the Local in typewritten form in the event of an appeal to the International President.

SECTION 22. REPORT FINDINGS

The Executive Board shall, after hearing all 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 Business Representative/Corresponding Secretary of the local union 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 member counsel. 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 union shall notify the accused in writing of its availability.

SECTION 23. ACTION BY MEMBERSHIP OF A LOCAL UNION

At the next membership meeting of the local union but in no event sooner than 20 days from the date on which the accused has been notified of the availability of the written 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 a majority vote of the members present or if so requested by the accused or in any case under the circumstances referred to in Section 22 hereof.

SECTION 24. 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 the 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 already been done, and the question shall be put whether the accused shall be granted a trial by 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, and if two-thirds of the members present shall vote contrary to the findings of the Executive Board or Trial Committee, the findings shall stand reversed, otherwise, the findings shall stand upheld.

SECTION 25. 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 26. WHERE TRIAL WAS BEFORE MEMBERSHIP

When the accused is tried before the membership as provided in Section 16, the guilt or innocence of the accused shall be determined by majority vote, and the penalty shall be imposed as prescribed in Section 25.

SECTION 27. SENTENCE REPORTED TO INTERNATIONAL PRESIDENT

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

SECTION 28. APPEALS

Appeals may be taken from decisions upon the charges against members of this Alliance in the manner provided by Article 12 of this Constitution. Members shall exhaust all remedies by appeal within this Alliance and shall be bound by the decisions of its tribunals as to all their rights.

ARTICLE 12

APPEALS

SECTION 1. RIGHT OF APPEAL

Any member aggrieved by the decision rule, regulation, order or any other act of omission or mandate of an officer or 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: (1) from the decision of the membership of the Local to the International President of this Alliance; (2) from the decision of the International President to the General Executive Board; (3) 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 appealed from.

Appeals concerning nominations or elections must be made within fifteen (15) days.

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 Business Representative/Corresponding 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 and the transcript of testimony or if a tape recording was made, the original unedited tape recording and a typewritten transcript thereof, the findings and sentence, and 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 tribunals.

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 13 **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 14 **ALTERING OR AMENDING THE CONSTITUTION AND BY-LAWS**

Alterations or amendments to this Constitution and By-Laws shall be made in writing and have three readings at three regular meetings. The first reading shall be offered without debate. A copy of the resolution shall then be sent to all members in good standing at least seven days prior to the next regular meeting. The second reading shall be offered with debate and shall be subject to amendment. The third reading shall be up for passage as amended and must receive the favorable vote of at least two-thirds of the members present. The last reading may be debated or amended only by the unanimous consent of the members present.

A motion to suspend the Constitution shall require seven days' prior notice indicating the section or sections to be suspended and shall require a two-thirds majority to pass.

No amendment or addition to this Constitution shall become effective until the endorsement of the International President has been placed thereon.

BY-LAWS

ARTICLE 1 GENERAL WORKING RULES

SECTION 1. REFERRALS

Jobs shall be filled in accordance with the Exhibition Job Referral Procedure and the Freight Job Referral Procedure which are included as part of these by-Laws and attached to these By-Laws as Addendum A and Addendum B respectively.

SECTION 2. ADDRESS OF MEMBERS

Any member, on changing his residence, shall notify the Business Representative/ Corresponding Secretary immediately. Any notice sent to the last address as shown on the books of this Local shall be deemed legal and sufficient notice.

SECTION 3. CONDUCT UNBECOMING A MEMBER

Conduct unbecoming a member or that which is contrary to trade unionism, or that which would bring discredit to this Local or the 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.

ARTICLE 2 WRITTEN REPORTS

All reports by officers and committees must be submitted in writing.

ARTICLE 3 CONDUCT OF MEETINGS

SECTION 1. RULES

The rules contained in Robert's Rules of Order shall govern this organization in all cases to which they are applicable, and in which they are not inconsistent with the Constitution and By-Laws of this Local.

Resolutions, 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.

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 (2) or more members rise at once the presiding officer shall decide who shall speak first.

SECTION 2. OFFICERS

When an officer has missed three consecutive meetings, including Executive Board meetings, without a reasonable excuse, his office shall be declared vacant by the President.

SECTION 3. MISCONDUCT

For misconduct during the course of a meeting, a member may be summarily fined in an amount not to exceed twenty-five dollars (\$25.00) for each separate offense, or at the discretion of the President, he may be summarily ejected from the meeting if his conduct persists in disrupting the meeting.

ARTICLE 4 **STANDING COMMITTEES**

The following committees shall be standing committees of the Local. The President shall appoint the members of these committees in accordance with the documents that govern each committee.

1. Referral Hall Committee
2. Joint Certification and Training Committee (JCTC)

ARTICLE 5 **MISCELLANEOUS**

As used in this Constitution and By-Laws, masculine pronouns and relative words shall be construed to include the feminine gender.