

# Constitution and Bylaws

of the

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

Local No. 414



Written January 2015

## PLEDGE

I, the undersigned, as a condition of my membership in Local No. 414 and in the International Alliance of Theatrical Stage Employes, Moving Picture Technicians, Artists and Allied Crafts of the United States, Its Territories and Canada, do solemnly pledge myself to accept and abide by the provisions of the Constitution and Bylaws 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.

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Signature of Member

Local No. \_\_\_\_\_

# **CONSTITUTION**

## **ARTICLE ONE**

### **Name, Affiliation and Jurisdiction**

#### **Section 1.**

The name of this organization shall be Local Union No. 414, International Alliance of Theatrical Stage Employes, Moving Picture Technicians, Artists and Allied Crafts of the United States, Its Territories 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 Employes, Moving Picture Technicians, Artists and Allied Crafts of the United States, Its Territories and Canada, AFL-CIO (hereinafter called the "Alliance" or the "International") and pursuant to the Constitution and Bylaws 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 Eighteen, Sections 9 and 10 of the International Constitution.

## **ARTICLE TWO**

### **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:

- (1) To improve the wages and hours of work, to increase their job security and to better their working conditions.
- (2) To advance their economic, social and cultural interests.
- (3) To establish peaceful and harmonious relations between its members and their employers, and to increase the stability of the industry.
- (4) To assure full employment.
- (5) To promote and support democracy and free trade unionism.
- (6) 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 THREE**

### **Membership**

#### **Section 1. Qualifications for Membership**

No person shall be eligible either to obtain 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 Local; 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 within the Local's jurisdiction for at least eighteen (18) months preceding their application.

Such applicant shall be of legal age 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, religion, national origin, sex, age or sexual orientation.

#### **Section 2. Application for Membership**

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

The endorsement of the application by the General Secretary-Treasurer of the International must be obtained before any action is taken by the Local upon the admission of the applicant, and if endorsement is refused the applicant shall be rejected.

Each application blank must be accompanied by a three hundred dollar (\$300.00) initiation fee (to be returned if the application is rejected), (except for persons entering in the positions of utility, stage manager, score box operator, or statistician, in which case the initiation fee shall be one hundred dollars (\$100.00)), and such processing fee as may be determined by the International. This processing fee is not returnable.

Any applicant who is guilty of making false statements on their application 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.

#### **Section 3. Examination of Applicant**

Applicants for membership may, if so decided by the Body, be required to pass a satisfactory examination as to competency and qualifications. If required, such examination shall be before a Board of Examiners, consisting of or appointed by the Executive Board, and the examination shall be uniform for all applicants. The approval of the Board of Examiners is

essential before further action is taken.

#### **Section 4. Balloting on Applicants**

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

Such applicant shall not be present when his or her name is proposed for membership. Open discussion shall be permitted, and at the next meeting of the Local the application shall be balloted upon, and a vote of fifty percent (50%) plus one vote of the members present shall be required for the acceptance of said applicant.

#### **Section 5. Registered Apprentices**

This Local may register the number of Apprentices permitted by the International Constitution and Bylaws. They shall make application as Apprentices to this Local on regular application forms. They shall have the same financial obligations as the regular members. They shall at all times be under the supervision of the Business Agent. After serving one (1) year Apprenticeship they shall, if not previously voted in, be balloted upon by the membership and shall become full regular members or their connection with the Local shall cease entirely, dependent upon the vote of the membership. In the event the Apprentice is not elected to membership their initiation fee shall be returned.

### **ARTICLE FOUR Headquarters**

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

### **ARTICLE FIVE Government**

#### **Section 1. Supreme Law**

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

#### **Section 2. Membership Meetings**

Regular meetings shall be held every other month, during the odd numbered months, at a date, time and place determined by the Executive Board. Members will be informed at least fifteen (15) days in advance as to the date, time and place of any meeting.

The meetings for any three consecutive months may be suspended by majority vote of the members present at a regular meeting. This may only occur one time per calendar year.

A Special meeting shall be called by the President on petition of no less than five (5) members, and no business, other than that for which such meeting is called, shall be conducted

thereat.

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

A quorum of 10% of the membership but no less than five (5) members in good standing plus two (2) officers is required to open a meeting for the transaction of lawful business.

### **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 meetings. A majority of the members of the Executive Board shall constitute a quorum.

### **Section 4. NOTIFICATION**

Notification by electronic mail shall be sufficient to satisfy the notification requirements of this provision.

## **ARTICLE SIX Nomination and Election of Officers**

### **Section 1. Elected Officers and Eligibility**

There shall be elected to office the following officers:

President and Primary Delegate to the International Convention  
Vice President-Recording Secretary  
Business Agent  
Secretary-Treasurer  
Executive Board –

to consist of President, Vice President-Recording Secretary, Business Agent, and the Secretary-Treasurer, and three (3) at-large members, at least one of whom shall reside outside the Greater Milwaukee area.

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

Sergeant-At-Arms  
Delegate to the International Convention

To be eligible for office, other than as a Delegate, a person must have been a member in good standing of this Local for a period of two years and who is not disqualified from holding office under any applicable Governmental law.

Any member in good standing of this Local shall be eligible to serve as a Delegate.

## **Section 2. Nominations**

All nominations must be made at the regularly scheduled meeting in the month of May.

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 who shall be candidates, to assist.

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 and be mailed to the members' last known address. A quorum at the nominations meeting is not required to proceed with nominations.

## **Section 3. Elections**

The election shall be held once every three (3) years in the month of June on the designated election day. At such elections, there shall be elected the Officers provided for in Article Six, Section 1 of this Constitution and Bylaws.

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 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 they shall mark alone inside one of the booths. Before leaving the booth, they shall fold the ballot so as to conceal the 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.

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 of the different candidates. The total of each candidate's vote shall be recorded on a recapitulation sheet, which must be signed by the Judge and Tellers, and delivered to the President at the meeting. The President shall then read the results to the meeting 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 in the Local) present at the polls and the counting of the ballots.

All reasonable requests of any candidate to distribute campaign literature by mail or

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otherwise, at the candidate's own expense, to the members in good standing shall be honored.

Every candidate shall have the right once within thirty (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 who are subject to a collective bargaining agreement requiring membership in the Local as a condition of employment.

Elections shall be conducted by secret ballot. Proxy voting shall not be permissible. If absentee balloting is permitted by vote of the membership, the absentee voters shall be given written notice as to the deadline for the receipt by the Local of the absentee ballots. Absentee ballots for elections must be made available, on written request by members who are unable to attend the meeting because they are traveling or are hospitalized or bedridden. 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 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 SEVEN**

## **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 Bylaws and the standing rules attached hereto. 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, may be summarily ejected from the meeting if their conduct persists in disrupting the meeting.

In 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.

The President shall see that all officers perform their duties as prescribed by the Constitution and Bylaws and shall be a member Ex-officio of all committees. With the consent of the Executive Board, the President shall use all moral and financial aid in enforcing the rules, wage scale and conditions of this Local.

The President shall appoint the members of all committees.

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 take his place temporarily until the vacancy shall have been filled by the membership at a By-Election.

The President shall also be empowered to appoint Delegates to such conventions or trade



assemblies (other than those names in Article Six, 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 shall have been filled by the membership at a By-Election.

By-Elections must be held within sixty (60) days after the vacancy was created.

## **Section 2. Vice President-Recording Secretary**

In the absence of the President, the Vice President-Recording Secretary shall assume all duties of the President. In the absence of the President and Vice President at a meeting, the body shall select a presiding officer.

It shall be the duty of the Vice President-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. The Vice President-Recording Secretary shall keep a duplicate copy of all correspondence and shall keep the seal in their possession.

## **Section 3. Secretary-Treasurer**

It shall be the duty of the Secretary-Treasurer to attend all meetings of the membership and of the Executive Board.

It shall be the duty of the Secretary-Treasurer to keep a true and accurate record of all income and disbursements and all assets and liabilities of this Union.

The Secretary-Treasurer 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 him/herself and the President.

The Secretary-Treasurer shall collect, all dues, fines and assessments from the members and shall report quarterly to the meeting the standing of all members.

The Secretary-Treasurer shall provide written notice to any member, by certified mail, that they are not in good standing.

The Secretary-Treasurer shall deliver to the Chairman of the Board of Trustees for auditing purposes all books and papers in his/her possession and shall attend such auditing meetings.

## **Section 4. Business Agent**

The Business Agent shall supply employers with manpower when called upon to do so and they shall keep a correct list of all work given out, as well as a list of the unemployed.

The Business Agent shall report to the Executive Board all alleged violations by members of the laws of the Local and shall perform such duties as ordered by the membership or by the Executive Board between membership meetings.

The Business Agent shall have full charge of the office of this Local, represent it in all dealings with employers, but shall at all times be under the supervision of the Executive Board.

The Business Agent 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.

### **Section 5. 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 finding 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 to it that all books and records of this 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 dates such reports were filed.

### **Section 6. 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 Eleven, 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 by fine or suspension.

### **Section 7. 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/her by the presiding officer.

### **Section 8. Delegates to International Convention**

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

### **Section 9. 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 10. Compensation of Officers**

All elected officers shall have their quarterly dues paid for by the Local Union. All expenses incurred in the course of conducting official business shall be reimbursed by the Local Union upon review and approval by the Local Executive Board.

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 are 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 (2/3) favorable vote by secret ballot of the members present at a special meeting.

## **ARTICLE EIGHT**

### **Transfer and Reinstatement**

#### **Section 1. Transfer**

Any member of another Local of this Alliance wishing to transfer their membership to this Local shall present their application as a new member together with a transfer card from the local union of which they were a member.

#### **Section 2. Reinstatement of Members**

Any member who has been suspended from membership shall be required to pay a reinstatement fee of an amount equal to one (1) quarter dues (currently \$61), together with all financial obligations that may have accrued against them during the period of his suspension. Any member who has been expelled shall be required to make application as a new member, and shall be governed by all conditions pertaining to that process.

## **ARTICLE NINE**

### **Revenues**

#### **Section 1. Dues and Initiation Fees**

The Dues payable by each member shall be an amount charged by the International per Quarter plus \$10 to the Local per Quarter payable in advance (currently \$51 plus \$10 totaling \$61), plus one percent (1%) of the earnings of members from work under the Local's jurisdiction. The initiation fee shall be \$300 or \$100 depending on the applicant's job category but may be reduced or waived by vote of the membership for organizational purposes.

Members at least sixty-five (65) years of age with twenty-five (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 union or the International. Retired Members shall have voice, but no vote at meetings of the Local 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 Local, it shall recommend to the membership a special assessment.

#### **Section 3. Increase in Dues or Initiation Fees**

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, notice of which has been mailed or electronically 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.

#### **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 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 Local.

## **ARTICLE TEN**

### **Good Standing**

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

Failure on the part of any member to pay any financial obligation to this Local within 60 days after it became payable shall result in such member being automatically suspended. Such member 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 (6) months from the date that the financial obligation first became payable and should the member fail to pay up in full their indebtedness within ten (10) days after written notice by certified mail of their default has been sent (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, the member 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 Bylaws shall be construed to mean that the member has fulfilled the requirements for membership in his/her local union and/or the International, and has not voluntarily withdrawn from membership, nor been expelled or suspended from membership either for being in arrears in his/her financial obligations or for any offense after appropriate trial proceedings consistent with Article Eleven of this Constitution and Bylaws.

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 ELEVEN**

## **Discipline of Members and Impeachment of Officers**

### **Section 1. Grounds**

In addition to the penalties expressly provided under the various sections of this Constitution and Bylaws, any member who shall breach their duty as a member by violation of the express provisions of the International's or the Local's Constitution and Bylaws 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 the Local shall be filed pursuant to this Article.

### **Section 2. Fair Trial**

Nothing in the provisions of this Constitution and Bylaws shall be construed to deprive a member charged with a violation thereof of the right to a fair trial whereby their 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 Bylaws provide.

### **Section 3. Charges**

All charges against a member of this Local for a violation of the provisions of the International's or the Local's Constitution or Bylaws 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 Charges**

If false charges shall be maliciously preferred against any member, the person or persons preferring such charges shall be fined Five Hundred Dollars (\$500), the fine to be imposed upon the acquittal of the member accused.

### **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 and When Preferred**

Charges shall be filed with the Recording Secretary of the Local and must be filed within sixty (60) calendar days after the offense becomes or should have become known to the person making the charge.

If the Recording Secretary of the Local is the charged party, the charges may be filed with any other officer of the Local who is not a charged party.

### **Section 7. Charges Against a Local Officer**

Charges shall be filed with the Recording 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 compensation 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 they are not found guilty after the trial, the accused shall be immediately reinstated to office with compensation for the period they were under suspension.

Whenever an officer of the Local as against whom charges are preferred is temporarily suspended from office, such officer shall be entitled to a trial no later than thirty (30) days after the date of the suspension. In the absence of extenuating circumstances, failure of the Local 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 Recording Secretary of the Local they shall not be withdrawn unless the member accused shall consent to withdrawal.

### **Section 9. Publication of Charges**

After the Local has taken cognizance of the charges of the charges, the presiding officer shall read them at the next regular meeting of the Local. 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 secretary of the meeting. The presiding officer shall refer the charges to the Executive Board sitting as the trial committee in accordance with the Constitution or Bylaws of the Local.

If no regular membership meeting is scheduled within a period of thirty (30) days after the date cognizance of the charges is 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 of the Local, to be scheduled no later than ten (10) days after the end of such thirty (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/she 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/her 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 the right on any appeal to raise any question concerning their guilt or innocence and the appeal in that event shall be limited to the question of the appropriateness of the penalty or penalties imposed upon the accused. No stenographic transcript or tape recording shall be required if a plea of guilty is entered in accordance herewith.

### **Section 11. Notice**

Within one (1) week after reference of the charges the Executive Board shall cause to be served upon the accused personally, or by certified mail to their last known address, a duplicate copy of the charges, and shall notify them 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 (15)

calendar days prior to the date for the hearing.

### **Section 12. Postponements**

Should the accused be unable for proper cause to attend the hearing at the time and place designated, they 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, they may waive the right of appearing before the Executive Board for hearing upon the charges preferred against them, or may designate a fellow member as counsel to appear for them and conduct the defense. Provided, that waiver of appearance shall not be prejudicial to the accused, and trial shall, if they fail to appear, proceed in their absence. The Board hearing all evidence and basing its decision as to the guilt of the accused solely thereon.

### **Section 14. Trial Body**

The Executive Board of the Local, as provided by its Constitution or Bylaws, 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 Board to sit upon their 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 Board upon the challenge of an individual member or members, the accused shall have the election to proceed before the Board, waiving the challenge, or to demand trial before the members of the Local in open meeting. Provided, that if the accused elects to be tried in the last-named manner the hearing shall be conducted in the manner set forth for trials before the Board.

### **Section 17. Hearing**

The accused shall, at the hearing upon the charges, have the right to present their 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 the Alliance in good standing.

### **Section 19. Witnesses 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 Chairman of the Board.

### **Section 20. Interrogatories and Depositions**

If a witness is 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/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 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 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 (5) 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. 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 23. Action by Membership of a Local Union**

At the next membership meeting of the Local, but in no event sooner than twenty (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 or Trial Committee 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 24 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 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 theretofore, 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 (2/3) 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 25. Imposition of Penalties**



If the accused is 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 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**

The President of the Local shall forward a report of the sentence imposed upon an accused member to the International President of the 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 Seventeen of the International Constitution and Article Twelve 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 TWELVE**

### **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 or the Executive Board of this Local may, after exhausting their remedies within the Local by appeal to the membership, appeal the 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 judgment. However, in the interim ruling of any proper tribunal of this Local or the Alliance shall be enforced pending disposal of the 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 filed 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 Recording Secretary of the Local. Within two (2) 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 Bylaws, and under no circumstances to resort to outside tribunals until all the remedies therein provided shall have been exhausted.

## **ARTICLE THIRTEEN**

### **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. (Any local chartered prior to September 1, 1978 shall not dissolve itself while there are seven (7) dissenting members.)

## **ARTICLE FOURTEEN**

### **Altering or Amending the Constitution**

Alterations or amendments to this Constitution shall be made in writing and have three readings at three consecutive regular meetings, at the last of which same must receive the favorable vote of at least two-thirds (2/3) of the members present. No such alteration or amendment shall, however, be effective until the International President endorses it.

## **RULES OF ORDER**

### **Order Of Business**

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. Propositions 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. Reports 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.

# **BYLAWS**

## **Section 1. Dishonesty or Drunkenness**

Any member dismissed from his/her position for dishonesty or drunkenness, upon being found guilty thereof, shall be fined no less than one hundred dollars (\$100).

## **Section 2. Members of Committees**

The Chairman shall remove any member of a committee who shall refuse or neglect to perform their duty.

## **Section 3. Summons**

Any member who is summoned to appear at a meeting of the membership, the Executive Board or a 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 trial.

## **Section 4. Address of Members**

Any member, on changing his/her residence and or primary electronic mail address, shall notify the Recording Secretary immediately. Any notice sent to the last physical or electronic mail address as shown on the books of this Local shall be deemed legal and sufficient notice.

## **Section 5. Donation of Services**

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

## **Section 6. Members Doubling Up**

Members desiring to double up or work two shifts on any job or jobs under the jurisdiction of the local, with the exception of double headers or multiple event days as defined in the contract, must obtain the consent of the Business Agent or be subject to charges.

## **Section 7. Refusing To Cover Positions**

Any member who has signed the Out-of-Work List, thus signifying his/her intension to accept a position, who shall refuse to go on a position after being instructed to do so by the Business Agent, shall have his/her name removed to the bottom of the Out-of-Work List. It shall be mandatory for the Business Agent to report a violation of this Section.

## **Section 8. 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.

## **Section 9. Alteration of Bylaws**

No portion of these bylaws may be suspended, but may be amended or altered by a resolution approved by a majority of the members present at a regular or special meeting after the members have been properly notified. The International President must approve all changes.

**THIS CONSTITUTION AND BYLAWS WAS REVISED AND PRINTED**

**January 8, 2015**

**ENDORSED BY**

**INTERNATIONAL ALLIANCE OF THEATRICAL STAGE EMPLOYEES,  
MOVING PICTURE TECHNICIANS, ARTISTS AND ALLIED CRAFTS  
OF THE UNITED STATES, ITS TERRITORIES AND CANADA**

**ON THIS DATE OF \_\_\_\_\_, 20\_\_\_\_**

**BY \_\_\_\_\_**

## **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 Local, unless moved by two (2) 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, first to adjourn; second, to lay on the table; third, the previous question; fourth, to post-pone: fifth, to refer; 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. Resolutions, amendments to the Constitution and Bylaws 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 (2) 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 Local shall be taken on any question, and recorded at the request of five (5) 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 (2) or more members rise at once the presiding officer shall decide who shall speak first.
10. On the call of five (5) members for the previous question the President shall put in this form: "Shall the question be now put?" Until this question 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 Bylaws of this Local.
12. No subject of a 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 consent of this union.
14. In the absence of a standing rule to apply to questions before the Local, 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.