

GENERAL LAWS
of the
San Francisco
Theatrical Employees

LOCAL B18

International Alliance of
Theatrical Stage Employees
And Moving Picture Machine
Operators of the United States
And Canada



Affiliated with:

A.F.L. – C.I.O.

California Labor Federation

Theatrical Federation of San Francisco

California State Theatrical Federation

San Francisco Labor Council

Chartered May 1st, 1937

CHARTERED MAY 1, 1937
AFFILIATED WITH ALL NATIONAL, STATE
AND LOCAL LABOR BODIES
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THEATRICAL EMPLOYEE'S UNION OF SAN FRANCISCO, LOCAL B-18

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**GENERAL LAWS OF THE
SAN FRANCISCO THEATRICAL EMPLOYEES
LOCAL B-18**

PLEDGE

I, the undersigned, as a condition of my membership in Local B-18 and in the International Alliance of Theatrical Stage Employees and Moving Picture Machine Operators of the United States and Canada, do solemnly pledge myself to accept and abide by the provisions of the General Laws of this Local and the Alliance, as now in force and as hereafter legally amended, and hereby express by consent to be governed thereby in the conduct of my trade and in my relationship with this Local and Alliance. I solemnly pledge myself not to resort to legal proceedings against this Local and the Alliance for any grievance, but first to seek my remedies within this Local and the Alliance, before resorting to any other tribunals.

CONSTITUTION

**ARTICLE I
NAME, AFFILIATION AND JURISDICTION**

Section 1.

The name of this organization shall be Theatrical Employees Union Local B-18 International Alliance of Theatrical Stage Employees and Moving Picture Machine Operators of the United States and Canada, AFL-CIO (hereinafter called the "Local")

Section 2.

This Local has been established and exists by virtue of a Charter issued by the International Alliance of Theatrical Stage Employees and Moving Picture Machine Operators of the United States and Canada (hereinafter called the "Alliance" or "International") and pursuant to the Constitution and By-Laws of the International.

Section 3.

Jurisdiction of the Local shall embrace the jurisdiction set forth in the Charter granted, as more fully defined in Article XVIII, Section 9 and 10 of the International Constitution, geographical jurisdiction being San Francisco and vicinity.

ARTICLE II

OBJECTS

Section 1.

The specific and primary purpose of the organization is to operate a labor organization within the meaning of Section 23701a of the California Revenue and Taxation Code.

Section 2.

The organization does not contemplate pecuniary gain or profit to its members and is organized for nonprofit purpose.

Section 3.

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

- To improve their wages and hours of work, increase their job security and to better their working conditions.
- To advance their economic, social and cultural interests.
- To establish peaceful and harmonious relations between its members and their employers, and to increase the stability of the industry.
- To assure full employment.
- To promote and support democracy and free trade unionism
- To engage in such other activities as may be deemed necessary to extend the process of collective bargaining throughout all trades and industries.

Section 4.

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

ARTICLE III

MEMBERSHIP

Section 1. Qualifications for Membership

No person shall be eligible either to membership or to retain membership in this Local who shall be a member of any organization having for its aim and 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, and no member, so expelled, shall ever be eligible to re-instatement thereafter.

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

Section 2. Application for Membership

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

Each application must be endorsed by the Secretary of the Local and the endorsement of 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 his endorsement is refused the applicant shall be rejected.

Each application must be accompanied by one-half of the usual initiation fee (to be returned if application is rejected). Any applicant who is guilty of making false statements upon the application blank shall, if he has been admitted to membership, be expelled upon conviction and shall be thereafter denied admission to membership in this Local. Any initiation fee paid by such member shall be forfeited upon his expulsion.

Any person who endorses the application of a person not eligible to membership shall be subject to a fine.

ARTICLE IV

HEADQUARTERS

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

ARTICLE V

GOVERNMENT

Section 1. Supreme Law

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

Section 2. Membership Meetings

Regular meetings shall be held each month of the third Monday of the month at 10:30 a.m.

The meetings for June, July and August may be suspended by majority vote of the members present at a regular meeting.

Special meetings shall be called by the President on petition of no less than 15 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 a special meeting.

A quorum of 11 members in good standing 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.

ARTICLE VI

NOMINATION AND ELECTION OF OFFICERS

Section 1. Elected Officers and eligibility

There will be elected to office the following officers, viz:

- **President**
- **Vice-President**
- **Business Agent/Secretary-Treasurer**
- **Executive Board – to consist of President, Vice-President, Business Agent/Secretary-Treasurer, and two Executive Board Members at Large.**

Board of Trustees

To consist of two members. The one receiving the highest vote in the election to be declared the Chairman. If the vote is a tied the President shall have the power to appoint the Chairman.

Sergeant-at-Arms

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

Section 2. Nominations

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

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

Members shall be notified by mail of the date, time and place of the meeting at which nominations are to be taken at least fifteen (15) days in advance of such meeting.

Section 3. Elections

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

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

Any candidate shall have the right to see a current list of members from the Local. If a candidate desires to see the list, all members must be shown.

Absentee ballots must be requested in writing. The absentee ballots must not be mailed back to the office of the Local. They should be mailed to a post office box or a third party address and picked up by the Judge and at least one Teller on the day of the election.

Section 4. Election Day

The Secretary, in conjunction with the Judge of Elections, shall procure the ballots, tally sheets and the ballot box, or if voting machines are used he shall arrange for same. It shall be the duty of the Secretary to preserve the ballots and all other records pertaining to the election for a period of one year.

The eligibility of the members to vote must be verified.

Every member must have a paid-up dues card to receive an official ballot, which he shall mark alone inside one of the booths.

Before leaving the booth, he shall fold the ballot so as to conceal his vote and deliver it to the Judge, who in the presence of both, shall 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 for the different candidates. The total of each candidate's vote shall be recorded on a recapitulation sheet, which must be signed by the Judge and Teller. The President shall then read the results at the next scheduled 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 at the counting of the ballots.

Election shall be conducted by secret ballot. Proxy voting shall not be permissible except as provided before in the case of a member who, by misfortune, cannot cast his own vote.

Section 5. Installation

The officers elected at the regular meeting in the month of January of the odd-numbered years and shall subscribe and assent to the required pledge before entering upon their duties of their office, viz.

“I do hereby pledge myself faithfully to perform duties of the office of.....as prescribed by the laws of this Local, and to bear true allegiance to the International Alliance of Theatrical Stage Employees and Moving Picture Machine Operators of the United States and Canada. I will deliver to this Local, upon demand, all books, papers, and other properties in my possession. All this I solemnly promise, with the full knowledge that to violate this pledge is to stamp me as a person devoid of principle and destitute of honor.”

ARTICLE VII

DUTIES OF OFFICERS

Section 1. President

The President shall preside at all meetings of the membership and of the Executive Board. He shall at all times conduct same in accordance with this Constitution and By-Laws and the Standing Rules attached hereto. For misconduct during the course of a meeting, a member may be summarily fined in an amount not to exceed \$1.00 for each separate offence, or at the discretion of the President, he may be summarily ejected from the meeting if his conduct persists in disrupting the meeting.

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

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

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

He shall appoint the members of all committees.

He shall sign all orders on the treasury legally authorized by the Local, and shall sign all checks.

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.

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 60 days after the vacancy was created.

By virtue of his office, the President shall be the first alternate delegate to all conventions and/or trade assemblies as shall be of Interest and Importance to this Local.

Section 2. Vice-President

In absence of the President, the Vice-President 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.

By virtue of his office, the Vice-President shall be the second alternate to all conventions and/or trade assemblies as shall be of Interest and Importance to this Local.

Section 3. Secretary-Treasurer

It shall be the duty of the Secretary-Treasurer to attend all meetings of the membership and the Executive Board. He shall keep minutes, but not necessarily verbatim, of the proceedings of such meetings in a book provided for such purposes. He shall keep a duplicate copy of all correspondence and shall keep the seal in his possession.

The Secretary-Treasurer shall have ballots prepared with the names of the candidates arranged in alphabetical order; one ballot to be delivered to each member entitled to vote. The seal of this organization shall be placed on the ballots.

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 the Local.

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

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

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

He shall pay all demands on the treasury by check when ordered paid at regular meetings of the membership or of the Executive Board, and shall make a quarterly report of the financial condition of the Local.

Section 4. Business Agent

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

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

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

He shall render a verbal report at each Executive Board meeting of all union business transacted by him in the interim.

The Business Agent shall conduct all contract negotiations with the Employers, subject to the concurrence of the Executive Board and ratified by a majority of members present at a General or Special meeting.

The office defined by Section 3 and 4 shall be combined, subject to the discretion of the Executive Board.

By virtue of his office, the Business Agent shall be a delegate to all conventions and/or trade assemblies as shall be of Interest and Importance to this Local. He shall also be a delegate to the Central Labor Council.

Section 5. Board of Trustees

The books of this Local must be audited every six (6) months by the Board of Trustees, who will make a detailed report of their findings at the next regular meeting. The Board of Trustees is charged with the responsibility of seeing to it that any officers and employees of this Local who handle its funds and property are bonded for the faithful discharge of their duties 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 the Local, used as the basis for preparing reports required by law to be filed with the Government, are preserved for at least five (5) years from the 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 towards an amicable settlement that may be deemed essential to the best interest of this organization.

The Executive Board shall decide upon all matters referred to them by the membership and their decision shall be binding unless reversed by a majority vote of the members present at a regular or special meeting of the Local. The Executive Board shall act as a trial board of this Local unless the member elects to be tried at an open meeting as provided in Article XII, Section 14, hereof. They shall have the power to summon as a witness any member, and those failing to answer may be adjudged in contempt and penalized for same by fine or suspension.

The Executive Board shall act for the Local in the interims between meetings of the general body and shall have the authority to perform any act which the general membership can perform and which may require immediate attention.

All business transacted by the Executive Board must be reported at the following regular meeting of the membership.

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 to carry out such instructions as are given to him by the presiding officers.

Section 8. Delegates of International Convention

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

Section 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

The Secretary-Treasurer and the Business Agent are to be compensated for their services and the amount of compensation they are to be paid shall be determined by majority vote of the Executive Board at the regular meeting at which nominations for office are held and once fixed shall not be reduced during the term of office.

Salary of such person shall not be increased in excess of 10% during the term of office without two-thirds favorable vote by secret ballot of the members present at a special meeting

Section 11. Shop Steward.

A Shop Steward shall be elected annually in each place of employment by the Union members employed therein. Elections shall be by secret ballot, with nominations being closed one week prior to the election date. Candidates for Shop Steward may not be a Treasurer, First Assistant Treasurer, Head Usher, Head Ticket Taker, or in any other position that might be defined as supervisory by federal law.

There shall be elected a Shop Steward in each department or area where necessary for the efficient servicing of the members within such area as may be designated by the Executive Board of the Local. Should a vacancy occur, it should be filled immediately by a new election.

Where an overall Shop Steward is required, he or she shall be chosen from among the Stewards by plurality vote of the entire membership working in the shop, said vote to be by secret ballot.

The Shop Steward shall:

- Attend with the Business Agent all contract negotiations with the Shop Steward's employers. The Shop Steward shall act as witness, without the right to speak unless called upon by the Business Agent.
- Be the liaison between the employer and the Business Agent of the Local in the matter of union job openings. The Shop Steward shall notify the Business Agent of any temporary or permanent job openings and also notify the Business Agent of the filling of vacancies.
- Notify the Business Agent of any infractions of the General Laws of this Local.

Explain to every new worker the conditions under which his or her shop is operating, the rate of pay, overtime rules, etc.

All Elected Officers shall be exempt from payment of dues.

ARTICLE VIII

TRANSFER AND REINSTATEMENT

Section 1. Transfer

Any member of another Local of this alliance wishing to transfer his membership into this Local shall present his application as a new member together with proof of good standing from the Local of which he was a member. Upon approval, he shall be admitted to membership upon payment of five dollars (\$5.00) transfer fee.

Section 2. Reinstatement of Members

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

Former members holding Honorable Withdrawals from this Local shall be reinstated at any time upon payment of a reinstatement fee of Twenty-Five (\$25.00) dollars and the current quarterly dues. After six months absence from the rolls of membership, members with honorable withdrawals must be employed within the Local's jurisdiction to reinstate their membership.

ARTICLES IX

REVENUES

Section 1. Dues and Initiation Fee

The Dues payable by each member are:

- \$40.00 per quarter for those who make \$2,500 *or more* in the quarter,
- \$32.00 per quarter for those who make *less than* \$2,500 in the quarter.
- \$18.00 per quarter for those who do not work in the quarter.

These dues are payable in advance. The Initiation Fee shall be \$50.00, but may be reduced or waived by vote of the membership for organizational purposes.

Members who leave the jurisdiction of this Local may, at their discretion, retain an active membership by payment of one-half (1/2) the maximum dues.

Section 2. 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 same to the membership.

Section 3. Increase In Dues

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

Section 4. Investments

At the close of each quarter all money in the commercial account in excess of that required to meet current expenses shall be transferred to the proper savings account.

Section 5. Convention Fund

There shall be a fund to be designated as the Convention Fund.

The fund shall be maintained by an allocation of twenty-five (25) cents per member per quarter, from the regular dues paid by each member.

Section 6. Authority of Expend Funds

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

ARTICLE X

GOOD STANDING

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

Dues not paid before the sixteenth (16th) of the first month of each quarter shall be delinquent, and a penalty of two dollars (\$2.00) shall be added to them. An additional two dollars (\$2.00) shall be levied for each week in which the dues remain unpaid.

Any member in arrears for dues, fines and/or assessments to the extent of twelve dollars (\$12.00) shall be given a written notice to pay in full within forty-eight (48) hours or stand suspended and be subject to a reinstatement fee of twenty-five dollars (\$25.00).

Failure on the part of any member to pay any financial obligation to this Local within sixty days after same became payable shall result in such member being automatically declared not in good standing. A member not in good standing shall be deprived of the right to hold office, to attend meetings and to vote. If such default continues for a period of more than six (6) months from the date that the financial obligation first became payable, the member shall be deemed automatically expelled. A written notice of the intent to expel must be sent by certified mail to the delinquent, and he must be given ten (10) days to respond. If no response they will be expelled.

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 obligations to the Local not only financially but in all other regards.

Honorable Withdrawals shall be granted to any member desiring to relinquish his membership, providing he shall be in good standing at the time of the withdrawal.

ARTICLE XI

IMPEACHMENT OF OFFICERS

Section 1. Grounds

Any officer of this Local may be impeached for a violation of his official duties or for any infringement of the Constitution and By-Laws.

Section 2. Charges

All charges against an officer of this Local 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, the Section or Sections of this Constitution and By-Laws alleged to have been violated, over the signature of the accuser, together with a statement of the names of all witnesses to the offense who are known to the accuser.

Section 3. Penalty for Preferring False Charges

If false charges shall be maliciously preferred against any officer, the person or persons preferring such charges shall be fined fifty dollars (\$50.00), the fine to be imposed upon the acquittal of the accused officer.

Section 4. 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 5. By Whom and to Whom Preferred

Charges against officers may be preferred by any member or officer of the Alliance. Charges shall be filed with the Executive Board of this Local, which body, with the exception of such members thereof as may be charged in said complaint, shall act as the trial body provided, however, that those so empowered to act constitute at least a majority of the Executive Board.

Section 6. Cognizance of Charges

The Executive Board shall examine all charges preferred to it and shall have the power to declare such charges cognizable or not. If cognizance is taken of the charges, the accused shall be temporarily suspended from the office and further payment of salary to him or they shall be withheld pending the outcome of the trial. The Executive Board shall in that event make suitable provision for the efficient discharge of the duties of the accused during the suspension period.

Section 7. Withdrawal of Charges

After charges have been preferred to the Executive Board they shall not be withdrawn unless the officer accused and the Executive Board both shall consent to the withdrawal.

Section 8. Notice

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

Section 9. Continuance

Should the accused be unable for proper cause to attend a 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 of some place and date agreed upon.

Section 10. Appearance for Trial

If the accused so desires, he may waive the right of appearing before the Executive Board, or he may designate a fellow member as counsel to appear for him and conduct his defense, provided that such waiver of appearance shall not be prejudicial to the accused and the trial shall, if he fails to appear, proceed in his absence.

Section 11. Trial

The Executive Board shall sit as the trial body in all impeachment cases and shall conduct at the hearing upon the charges a thorough inquiry into the merits of the case, according to the complainant and the accused alike, a full and impartial hearing.

In the conduct of such a trial, the provisions of Article XII, Sections 16, 17, 18, 19 and 20 of this Constitution shall be observed.

Section 12. Penalty

The guilt or innocence of the accused shall be determined by a majority vote of the Executive Board. If the accused is found guilty as charged, it shall then become the duty of said Board to declare the office of the accused vacant and the successor of said officer shall be elected in a manner provided in this Constitution.

Section 13. Appeals

(Covered by Article XIII)

ARTICLE XII

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

Section 2. Fair Trial

Nothing in the provisions of this Constitution and By-Laws shall be construed to deprive a member charged with a violation thereof of the right to a fair trial whereby his guilt or innocence may be determined, with the exception that a member who has defaulted in the payment of any dues, fees, fines, or assessments lawfully imposed under this Constitution and By-Laws shall be punished summarily as this Constitution and By-Laws provide.

Section 3. Charges

All charges against a member for violation of the provisions of this Constitution or By-Laws must be in writing in the form of a sworn affidavit, reciting clearly the offenses charged, the name of the accused, the time, place and nature of the violation, the section or sections of this Constitution or By-Laws alleged to have been violated, over the signature of the accuser, together with a statement of the names of all witnesses to the offense charged who are known to the accuser.

Section 4. Penalty for Preferring False Charges

If false charges shall be maliciously preferred against any member, the person or persons preferring such charges shall be fined twenty-five dollars (\$25.00), 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 is sworn.

Section 6. To Whom Preferred

Charges shall be filed with the Secretary of the Local.

Section 7. Withdrawal of Charges

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

Section 8. Publication of Charges

After the Local has taken cognizance of the charges, the presiding officer shall read them at the next regular meeting. 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 for trial.

Section 9. Notices

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

Section 10. Continuances

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 11. Appearance for Trial

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

Section 12. Trial Body

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

Section 13. Challenges

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

Section 14. Trial in Open Meeting

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

Section 15. 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 examine all of the evidence of the case.

Section 16. 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 17. 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 18. Depositions

If a witness be unable to attend the trial, a written deposition of his testimony shall be taken in the form of an affidavit, and such portions of it as are not denied by the accused shall be admitted as evidence.

Section 19. Transcripts

A written transcript of all testimony adduced at the hearing shall be made.

Section 20. Report of Findings and of Recommendations

The Executive Board shall, after hearing all the evidence, reduce its finding as to the guilt or innocence of the accused and its recommendations for penalty, to writing and present this report at the next regular meeting of the Local. The transcript of the evidence and proceedings at the hearings shall not be read except upon motion duly seconded and carried by a majority vote of the members present.

Section 21. Action by Local

The report of the Executive Board shall be acted upon at the meeting of the Local without debate.

Section 22. Acquittal or Conviction

After the submission of the report, the Local shall proceed at once to vote upon the findings 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 report is not accepted, the record of testimony and proceeding shall be read, unless this has been done heretofore on motion, and the question shall be put whether the accused shall be granted a trial by the Local, or whether the Local shall proceed to ballot upon his guilt. If a majority of the members vote for the latter procedure, a ballot shall be taken on the guilt of the accused and if a majority of the members present shall vote contrary to the findings of the Executive Board, the findings shall stand reversed.

Section 23. Imposition of Penalties

If the accused be found guilty of an offense for which no specific penalty is fixed by the Constitution and By-Laws, the Local shall then proceed to ballot upon penalty. The vote shall be first upon the recommendation of the Board, which shall be adopted if a majority of the members present so vote. If the recommendation be rejected, then the Local shall proceed to ballot for the penalty to be imposed. The penalty shall be determined by ballot, the members voting to expel, suspend, fine or reprimand.

Section 24. Where Trial Was Before Local

Where the accused is tried before the Local as provided by Section 14, the guilt or innocence of the accused shall be determined by majority vote of the members present and the penalty shall be imposed as prescribed in Section 23.

Section 25. 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.

ARTICLE XIII

APPEALS

Section 1. Right of Appeal

Any member aggrieved by the decision, rule, regulation, order 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:

- From the decision of the membership of the Local to the International President of the Alliance.
- From the decision of the International President to the General Executive Board.

- From the ruling of the General Executive Board to the Alliance in convention assembled and the latter body shall be the tribunal of ultimate judgments. However, in the interim rulings of any proper tribunal of the Local or Alliance shall be enforced pending disposal of appeal, unless a stay of decision has, upon application, been granted.

Section 2. Time Allowed for Filing

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

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 Secretary of the Local. Within two (2) weeks the Local shall forward to the International President all the records in the Case, including the sworn charges and the transcript of testimony, the findings and sentence, and any additional matters of evidence on record. The correctness of the transcripts 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. Decision Conclusive

The members of the Local shall submit all their rights within the Local and the Alliance first to the determination 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 XIV

PERMANENCY

This Local shall not dissolve itself while there are seven (7) dissenting members, nor shall this article of the Constitution and By-Laws be subject to any alteration or amendment whatsoever.

ARTICLE XV

ALTERING or AMENDING THE CONSTITUTION

Alterations or amendments to this Constitution shall be made in writing and have two readings at two consecutive regular meetings, at the last of which same must receive the favorable vote of at least two-thirds of the members voting. Absentee ballots on Constitutional amendments shall be made available to those individual members who request them in writing. All absentee ballots must be received at the office of the Local prior to the meeting during which the amendment is to be voted upon. No such alteration or amendment shall, however, be effective until the International President endorses it.

BY-LAWS

Section 1. Dishonest or Drunkenness

Any member dismissed from his position for dishonest or drunkenness upon being found guilty thereof shall be fined no less than twenty-five (25.00) dollars.

Section 2. Members of Committees

The Chairman shall remove any member of a committee who shall refuse or neglect to perform his 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 a fair trial.

Section 4. Address of Members

Any member, on changing his residence, shall notify the 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 5. Donation of Services

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

Section 6. Members Doubling Up

Members desiring to double up or work two shifts on any job or jobs under the jurisdiction of this Local 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 intention 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 name removed to the bottom of the Out-Of-Work list. It shall be mandatory for the Business Agent to report 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 Alliances, 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. Leaving Position

Any member leaving a position must notify this Local and his employer at least two weeks in advance.

Section 10. Alteration of By-Laws

No portion of these laws 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.

STANDING RULES

- 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.
- No motion shall be received or laid before this Local, unless moved by two members, nor opened for discussion until stated by the presiding officer. When a question is before the Local no other motions shall be in order, except; first, to adjourn; second, to lay on the table; third, the previous question; fourth, to postpone; 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.
- Resolutions, amendments to the Constitution and By-Laws and charges against officers and member, must in all cases be presented in writing; otherwise they shall not be considered.
- The member of any verbal proposition shall, upon the requisition of the chair, or two or more members, reduce it to writing.
- Any member entitled to a vote may move for a division of the question when the sense o the same will admit it.
- A motion to reconsider any former motion or vote shall only be made and seconded by members who voted in the majority
- When the reading of any paper is called for and objected to, the question shall be decided by vote.
- A division of this Local shall be taken on any questions and recorded at the request of five members.
- When members speak they shall rise and address the presiding officer, confining themselves strictly to the merits of the question upon 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 permissions of the presiding officer. When two or more members rise at once, the presiding officer shall decide who shall speak first.

- On the call of five members for the previous question, the President shall put it in this form; “Shall the question be not put?” and until this is decided, it shall preclude all amendments to the main question and further debate shall cease.
- The officer or member presiding in the absence of the President shall, for the time, possess all the powers and privileges vested in the President by the Constitution and By-Laws of this Local.
- No subject of a partisan or religious nature shall at any time be admitted.
- No person who is not a member shall be allowed at any of the meetings without the consent of this Local.
- In the absence of a standing rule to apply to questions before the Local, recourse shall be had to Roberts Rules of Order.

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.

WORKING RULES

1. All members must take one day of rest in seven, unless otherwise ordered by the Business Agent and approved by the Executive Board.
2. Members receiving notice of discharge shall notify the Business Office immediately.
3. All unemployed members must report to the union office regularly, either in person or by telephone, or lose their position on the available list.
4. This Local will not support anyone who may; be discharged through dishonesty, intoxication, or gross incompetency.
5. Any member who has accepted a position, either permanent or temporary, and who fails to report at the appointed time shall be subject to a fine of not less than \$5.00.
6. Any member working for less than the established scale of wages shall be subject to a fine of not less than \$25.00 and suspended or expelled at the option of the Local.
7. Members must not traduce or vilify the character or capabilities of any member. Any member having knowledge of such an offense must report it to the Business Agent. Members failing to comply with this rule shall be punished at the discretion of the Executive Board.
8. Any member not receiving his salary and all legitimate expenses when they are due must report the same to the Business Agent within 24 hours.

A failure to comply with this rule shall relieve the Local from any and all liability for the same.

9. When there is a reasonable doubt as to the employer's ability to pay salaries when due, the Business Agent may order members to collect daily, either in advance or at the close of each day's business.
10. In the computation of time worked, every fraction of a half-hour exceeding 5 minutes shall be considered as a full half-hour.
11. No member shall sell or solicit the sale of any tickets, script books, lottery tickets, etc. of any kind, except by express permission of the Executive Board. Failure to comply with this rule shall subject the member to a fine of \$10.00.
12. Any member of this Local who shall fail to report for work or shall leave a job without proper notification or excuse that is acceptable shall be fined \$10.00 for each offense.
13. Members dispatched from the union office for interview for employment must report results of said interview to the union office within 24 hours, or be subject to a fine of \$2.50.
14. All members accepting employment within the jurisdiction of the Local must report it to the union office within 24 hours or be subject to a fine of \$5.00.
15. Members employed in the "Outdoor Field" as Treasurers must report any change in their crews to the union office within 24 hours or be subject to a fine of \$5.00.
16. Members employed in the "Outdoor Field" acting as job contractors must report their jobs and consist of crew to the union office within 24 hours or be subject to a fine of \$5.00.
17. Heads of Departments in the "Outdoor Field" will use every means available to them to see that only members of this Local are employed on the jobs under their control.
18. In the term "Outdoor Field" shall mean employment in all places of amusement normally requiring staffing by the Business Agent or Dispatcher.

**Adopted by the Local B-18 Membership at a Regular Meeting
on October 17, 1983 and June 18, 1984**