

69TH QUADRENNIAL CONVENTION

**TOGETHER
WE RISE**



VIRTUALLY HELD JULY 27-29, 2021

**PROPOSED
CONSTITUTIONAL
AMENDMENTS**

1. ARTICLE ONE, Section 3. Membership (Page 1)

The membership of this Alliance shall comprise the members in good standing of such local unions as shall hold a charter from this Alliance, and said affiliated local unions and such persons who, having been members of any local union which has had its charter revoked or suspended, shall retain their membership in this Alliance in the manner provided in these laws, and such persons as may acquire and hold direct membership in this Alliance pursuant to these laws.

Eligibility for membership in this Alliance shall be restricted to residents of the United States or Canada, or any other areas in which the Alliance exercises jurisdiction.

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

Any member who shall, upon trial, be found to lack any of the qualifications for membership in this Alliance shall forthwith be expelled and dismissed from membership in this Alliance and any local union affiliated herewith, and shall surrender all rights and privileges as such member including death benefits and other property rights, if any, in the assets of any local union.

To promote unity and further the purpose of this Alliance in the manner provided in this Article, there shall be no unlawful discrimination against any person in respect to membership in this Alliance. The membership shall seek to eliminate all forms of discrimination affecting the welfare of this Alliance in respect to employment. No member of this Alliance shall discriminate, encourage discrimination, or cause or attempt to cause any employer to discriminate against any person by reason of race, color, creed, national origin, sex, age, or religion, ethnicity, disability, pregnancy, sexual orientation, gender identity, gender expression, sex characteristics, veteran status, familial status, parental status, or marital status.

Explanation: This Section must be revised, restructured, and modified to include well-recognized anti-discrimination language in the Constitution. The language has been updated and altered in this manner to include certain matters covered by Canadian or United States law (and certain International agreements). The proposed amendments should reflect the diverse groups represented in the membership. This proposed update is inclusive and brings the Constitution in line with present-day societal concerns.

2. ARTICLE THREE, Section 1. Regular (Page 3)

This Alliance shall meet in Convention in ~~2017~~ 2021 and thereafter at four-year intervals in such places as may be chosen by the General Executive Board.

ARTICLE FIVE, Section 2. Tenure of Office (Page 6)

Elected officers shall be elected at the ~~2017~~ 2021 Convention and every four (4) years thereafter at a regular Convention and shall continue in office until the election and installation of their successors, acceptance of resignation, or removal by impeachment.

Appointed officers shall continue in office until removal by the International President, or the General Executive Board, or acceptance of resignation.

Explanation: The dates in the Constitution and Bylaws must be current so that they are accurate and reflect present-day circumstances.

3. ARTICLE FOUR, Section 1. Eligibility (Page 4)

Any member in good standing shall be eligible to be a delegate to any Convention of the Alliance provided they are chosen by the membership of their local union on a secret ballot vote, or if the Local's Constitution and Bylaws so provides, are accredited by virtue of their having been elected to office in the Local in accordance with United States federal law; but no member of the General Executive Board or the Board of Trustees **or the Delegate to the Canadian Labour Congress** of this Alliance, shall, during their term of office, be permitted to represent any local union, but they shall have voice, although no vote, on all questions which may come before that body, and shall also be eligible for nomination and election.

ARTICLE FIVE, Section 3. Eligibility (Page 7)

None but duly accredited delegates to the Convention and those prohibited from acting as local union representatives by reason of their being present in the Convention as members of the General Executive Board and the Board of Trustees of this Alliance, **or the Delegate to the Canadian Labour Congress from this Alliance**, shall be eligible to election to any office of this Alliance.

No delegate or International Officer shall be nominated to office unless attending the Convention or unless their written consent to be a candidate shall first be filed with the **Registry Clerk of the** Election Board.

No delegate may be nominated for more than one elected office in the Alliance. If nominated for more than one office, the delegate shall be required, prior to the close of nominations, to designate the office for which they wish to run; failing to so designate, they shall be a candidate for the office for which they were first nominated and shall be deemed to have declined any other nomination.

ARTICLE FIVE, Section 4. Election Board (Page 7)

The election of officers shall be conducted by an Election Board consisting of a judge; **and** a sufficient number of tellers, **and a registry clerk**. The Board shall be appointed prior to the opening of the Convention by the International President of the Alliance with the approval of the General Executive Board.

Explanation: The proposed changes to Article Four, Section 1 and Article Five, Section 3 clarify: (i) all union officer elections are governed by the laws of the United States in accordance with Department of Labor regulations; and (ii) the Canadian Labour Congress Delegate is an International Officer in the same manner as the General Executive Board and the Board of Trustees. When the CLC was established in 1956, the International affiliated with it at that time. Since inception, the CLC Delegate has been an International Officer and treated in the same manner as the International Officers as set forth in Articles Four, Section 1 and Five, Section 3. The language regarding the CLC Delegate in these Constitutional provisions corrects a typographical omission.

In addition, a registry clerk—if it ever existed—has not been appointed or used for at least the last twenty years.

4. **ARTICLE SEVEN, Section 1. [International President] Salary and Allowances (Page 10)**

ARTICLE EIGHT, Section 2. [International Vice Presidents] Salary and Allowances (Page 17)

ARTICLE NINE, Section 10. [General Secretary-Treasurer] Salary and Allowances (Page 20)

ARTICLE TEN, Section 2. [Board of Trustees] Salary and Allowances (Pages 20-21)

ARTICLE TWELVE, Section 1.b [Assistant(s) to the President] (Page 24)

ARTICLE TWELVE, Section 2.b [International Representatives] (Page 24)

It is proposed that the salary and per diem of International Officers and staff be increased by three percent (3%) annually effective January 1, 2022 and on each subsequent January 1st through and including January 1, 2025.

Explanation: This increase is proposed in order that elected officers, appointed representatives and staff of the International may be reasonably compensated without increasing costs to the International beyond a manageable level.

5. **ARTICLE SEVEN, Section 5.a Judicial Powers (Page 11)**

The International President shall have original jurisdiction to try charges against individual members or officers of local unions:

- a.
 - i. When charges have been preferred by a member against a member and filed in the charged party's local union, and the local union has wrongfully neglected or refused to take cognizance of them; **or**
 - ~~ii. Or w~~Where, after taking cognizance of charges and conducting a trial thereon, the Local imposes a penalty or renders a verdict that is, on its face, not supported by the evidence or the law; ~~or~~
 - iii. Upon a non-cognizance determination, or charges that fall within the description of Article Fifteen, Section 3 or Article Sixteen, Section 4.**

All remaining sections of Article Seven, Section 5 shall remain unchanged.

Explanation: The proposed amendment addresses the proliferation of charges falling within those described in Article Sixteen, Section 4. The amendment seeks to prohibit distortion of Constitutional provisions. It grants the International President original jurisdiction to hear charges that are not brought to correct Constitutional violations but for vexatious, illegitimate purposes. As the governing document for this Alliance, the Constitution must not be used in a manner that is detrimental to the democratic process.

6. ARTICLE NINE, Section 1.f Routine Duties (Page 18)

Forward to the affiliated local unions ~~printed~~ forms upon which the ~~s~~Secretaries of the local unions shall report the admission of new members and expulsions of members, ~~impositions of fines upon members~~, the reinstatement of expelled members and other matters required to be filed by them with the General Secretary-Treasurer. This information shall be filed for further reference.

Explanation: These proposed changes reflect what is included in quarterly reports and the ability for electronic submission of these reports.

7. ARTICLE TEN, Section 1.a Duties (Page 20)

The Board of Trustees shall perform the following duties:

a. The Board shall audit the books of the General Secretary-Treasurer semi-annually, employing for such purpose such assistance as they may deem necessary. ~~The report of the Board's audits shall be forwarded by the General Secretary-Treasurer to each affiliated local union upon the completion of each audit. The Board of Trustees shall present a report to the General Executive Board for approval at the next regularly scheduled meeting of the General Executive Board.~~ This audit shall be in addition to the audit by the certified public accountant appointed by the International President.

Explanation: This amendment seeks to ensure that the procedures of the International are accurately reflected in the Constitution and Bylaws.

8. ARTICLE FOURTEEN, Section 2. Reduced Per Capita Tax for "Retired Members" (Page 27)

The per capita tax for a retired member, as herein defined, who is between sixty-five (65) and seventy-five (75) years of age shall be in the reduced amount of Four Dollars and Fifty Cents (\$4.50) per quarter. For the purpose hereof, a retired member is one who is at least sixty-five (65) years of age, who ceases employment within the jurisdiction of the Alliance, and who, if application be made in their behalf by their local union on a form to be provided for that purpose, shall have been issued a membership card by the General Office bearing the notation "Retired Member" on the face thereof. Retired members shall have voice but no vote at union meetings and are not eligible to hold any office.

Members of the Alliance issued a Social Security total and permanent disability award, and who are less than sixty-five (65) years of age, shall, upon presentation of satisfactory proof thereof to the General Office, be recognized as retired members under Article Fourteen, Sections 1 and ~~2~~ ~~1A~~ of this Constitution. ~~however there shall be no charge for per capita stamps for such recognized members.~~

Explanation: This proposed change reflects the practice of the International. The revision reflects that disabled members are classified as retired members except no per capita is owed for these members.

9. ARTICLE FOURTEEN, Section 8. Defense Fund (Pages 28-29)

There is hereby established a Defense Fund to be financed by an assessment of Four Dollars (\$4.00) per member per quarter from the per capita tax for all members except for members of the Special Department whose assessment shall be Three Dollars (\$3.00) per member per quarter from their per capita tax. The Defense Fund assessment shall be forwarded to the General Secretary-Treasurer on a quarterly basis.

The monies paid to the Defense Fund shall be placed in a separate account in the name of the Alliance and not be commingled with any other funds of the Alliance. The operations of the Defense Fund shall be audited at least once a year by a CPA and a copy of such audit shall be ~~distributed each year to all Locals of the Alliance and also~~ **be published each year** in the Official Bulletin for distribution to members of the Alliance **and distributed to Locals of the Alliance annually upon request.**

The assets of the Defense Fund shall be used for the sole and exclusive purposes set forth below:

- (a) Assisting local unions of the Alliance, faced with an authorized strike or a lockout, to obtain the necessary legal advice only after securing the permission of the International President to engage legal counsel.
- (b) To finance necessary activities in connection with such strike or lockout.
- (c) To pay certain legal bills of the Alliance where the International is the bargaining agent and to cover other legal expenses of the International in special situations where, in the judgment of the Defense Fund Committee or of the International President with the approval of the Defense Fund Committee, the circumstances warrant it.
- (d) To pay or provide for the payment of expenses incurred by the International or a local union in connection with special organizing drives or for taking necessary actions against unfair or recalcitrant employers, subject, however, to the proviso that no such expenditures from the Defense Fund shall be authorized or made unless prior approval therefor in writing has been obtained from the Defense Fund Committee or from the International President with the approval of the Defense Fund Committee.
- (e) In no event shall any of the monies in the Defense Fund be utilized to provide strike or lockout benefits unless or until authorization to do so shall have been granted by action of the delegates in convention assembled.
- (f) Subject to the approval of the International President and General Executive Board, the Defense Fund Committee is authorized to expend Defense Fund monies, where they determine it appropriate, for training programs.
- (g) After approval has been granted by the Defense Fund Committee to cover a Local's legal expenses, and as a condition of reimbursement, the local union is required to send the monthly invoice from its attorney to the General Counsel of the International.

The Defense Fund shall be administered by a Defense Fund committee consisting of the International President, a Canadian Vice President and three additional Vice Presidents who reside in the United States to be selected by the General Executive Board. All administrative expenses incurred by the Defense Fund Committee shall be charged to and deducted from the Defense Fund as authorized by the Committee.

Explanation: All of the funds of the International, including the Defense Fund, are audited annually by certified public accountants in accordance with Article Seven, Section 8. The reports are published annually in the Official Bulletin. This change does not alter current practice, which makes such reports available to all Locals.

10. ARTICLE FOURTEEN, Section 1. Per Capita Tax (Page 27)

ARTICLE FOURTEEN, Section 5. Use of Funds (Page 28)

ARTICLE NINETEEN, Section 12. Financial Obligations (Page 46)

ARTICLE NINETEEN, Section 25. Members At Large (Page 50)

RULES AND REGULATIONS OF THE AFFILIATED DEPARTMENTS OF THE I.A.T.S.E.

RADIO AND TELEVISION DEPARTMENT (Pages 65-67)

ASSOCIATED CRAFTS AND TECHNICIANS (A.C.T.), COMPUTER GENERATED IMAGERY (C.G.I.), AND TELECHARGE DEPARTMENTS (Page 67)

It is proposed that the per capita tax payments of Class “A” local unions, Class “B” (Special Department) local unions, Retired Members and direct members of the International (Members At Large, Radio and Television and Associated Crafts and Technicians) remain at 2021 levels.

Explanation: It is proposed that all per capita payments and all allocations to the various funds remain frozen at 2021 levels through to and including 2025. The combination of closely controlled expenses, prudent investments and membership growth since the 2017 Convention will allow the International to not pass along any additional expenses to our local unions. The International will continue to provide support and services to affiliated unions—including organizing, training, education, administration of collective bargaining agreements, and the growing number of programs and assistance available to local unions.

11. ARTICLE FIFTEEN, Section 3. Penalty for Preferring False Charges (Page 30)

If false charges shall be maliciously preferred against any officer, the person or persons preferring such charges shall be fined **Two Thousand**, Five Hundred Dollars (\$2,500), the fine to be imposed upon the acquittal of the accused officer.

ARTICLE SIXTEEN, Section 4. Penalty for Preferring False Charges (Page 32)

If false charges shall be maliciously preferred against any member, the person or persons preferring such charges shall be fined **Two Thousand**, Five Hundred Dollars (\$2,500), the fine to be imposed upon the acquittal of the member accused.

Explanation: The amount of the fine was last increased at the 1982 Convention when it was increased from \$25 to the present \$500.

12. ARTICLE SIXTEEN, Section 6. To Whom and When Preferred (Page 32)

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

Charges must be filed with the Local of which the accused is a member within sixty (60) calendar days after the offense becomes or should have become known to the person making the charge; **provided that charges alleging deliberate acts or conduct, which materially interfere with Article One, Section 3, paragraph five of this Constitution must be filed with the Local of which the accused is a member within three hundred sixty-five (365) days after the offense becomes known or should have become known to the person making the charge.**

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

Explanation: The proposed amendment permits affiliated Locals to hear certain charges arising in the manner described under the International Constitution during a broader time period, which may be otherwise barred by the current Section. This change recognizes equitable factors, including the potential sensitivity of charges arising in the manner provided in the proposal and the similar processing period for such charges in other forums.

13. ARTICLE SIXTEEN, Section 17. Right to Trial (Pages 33-34)

The International President, at their discretion for good cause shown, may allow a local union to eliminate from its constitution the right of a member to a trial in open meeting as provided in Section ~~14~~**16** above. Should the International President decide that a Local has cause to eliminate the right to trial in open meeting, it is necessary for such Local to properly amend its constitution accordingly. Cause shall include consideration of the geographical jurisdiction of the Local, the number of members in the Local, and whether such Local regularly conducts business at membership meetings at a single location. **Charges alleging deliberate acts or conduct, which materially interfere with Article One, Section 3, paragraph five of this Constitution need not in any case be conducted before the members of a local union in open meeting under the circumstances referred to in Section 16 of this Article. The transcript of evidence and testimony adduced at the hearing upon charges so arising under Article One, Section 3, paragraph five of this Constitution shall not be read before the membership, notwithstanding any other provisions of this Constitution; the office of the International President of this Alliance, the General Executive Board, and this Alliance in Convention assembled, as set forth in Section 1 of Article Seventeen, shall have exclusive appellate authority over any appeal by the accused.**

Explanation: The proposed amendment corrects a typographical error and makes a conforming change resulting from the renumbering of sections in the Constitution after the 68th Quadrennial Convention and permits affiliated Locals to hear charges in the manner described hereunder without a trial in open meeting. This change reflects the potential that charges arising under Article I, Section 3 may better be suited to proceedings in this manner. Other charges may currently occur outside an open meeting, upon request, in the present Section. This change reflects the coverage of the present section. The trial board in cases arising under Article One, Section 3, paragraph five shall be obligated to render a decision and any decision rendered in such cases shall be appealed to the office of the International President of this Alliance, then the General Executive Board, then the Alliance's Convention (in the order set forth in Article Seventeen, Section 1) not otherwise withstanding the provisions of Article Sixteen, Section 25 (i.e., the transcript shall not be read to the membership, and the accused shall have the right to appeal first to the office of the International President).

14. ARTICLE NINETEEN, Section 7. Quarterly Reports (Page 45)

It shall be mandatory upon each affiliated local union to make a quarterly report no later than thirty (30) days following the end of each quarter. The local union shall forward to the General Office this report of its membership upon quarterly membership report ~~blanks forms~~ furnished for that purpose by the General Secretary-Treasurer. All changes in the membership shall be properly recorded therein.

Local unions failing to submit correct quarterly membership reports shall be subject to disciplinary action.

~~Any affiliated local union failing to forward a complete roster of its membership to the General Secretary-Treasurer upon request at any time shall be subject to a fine of Twenty-Five Dollars (\$25.00) for each offense.~~

Explanation: These proposed changes recognize the use of both paper and electronic submissions of quarterly reports. The third paragraph is redundant of other Constitutional provisions, including Article Nineteen, Section 29.

15. ARTICLE TWENTY-ONE, Section 5. Obligations of Membership (Pages 54-55)

Every applicant for membership in this Alliance, whose application has been favorably balloted upon by a local union, shall, before being inducted into membership, be required to read thoroughly the Constitution and Bylaws of this Alliance and of the local union, obtaining such instructions thereon as they shall request from the officers of the local union.

The laws of this Alliance and of the local union shall be binding upon the individual members thereof and each member shall be deemed to have consented to be governed thereby.

Upon induction into membership new members shall swear or affirm their intention to observe the provisions of this Constitution and Bylaws and the Constitution and Bylaws of the local union and to accept such laws as conclusive of their rights within this Alliance., ~~in witness whereof they shall sign the pledge in the bound copies presented to them. The pledge so signed shall be detached and forwarded to the General Office by the Secretary of the local union.~~

Explanation: The last line is redundant and can be found in the written pledge on the application.

On Sunday, July 25th, 2021, the International President received the following proposed Constitutional amendment. President Loeb reviewed the proposed amendment, found it acceptable, and has included it as an additional proposed amendment to be presented to the Delegates to the 69th Quadrennial Convention.

16. ARTICLE SIXTEEN, Section 9. Publication of Charges (Page 32)

After the local union has taken cognizance of the charges, they shall be read at the next regular meeting of the local union by the presiding officer. No debate or discussion shall be permitted, but the presiding officer shall request those having personal knowledge of any of the facts alleged in the charges to submit their names as witnesses to the secretary of the meeting. The presiding officer shall refer the charges to a Trial Committee or the Executive Board in accordance with the Constitution or Bylaws of the local union.

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, **or if the Charges allege deliberate acts or conduct which materially interfere with Article One, Section 3, paragraph five of this Constitution,** 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.

Explanation: The proposed amendment permits affiliated Locals to publish certain charges arising in the manner described under the International Constitution during a meeting of the executive board instead of at a regular meeting of the local union. This change recognizes that the potential sensitivity of charges arising in the manner provided in the proposal and the more discreet publication to minimize harm to the members and reduce the barriers to reporting.

