



# CONSTITUTION AND BY-LAWS

**The Animation Guild  
and Affiliated Optical Electronic and  
Graphic Arts, Local 839 I. A. T. S. E.**

1105 N. Hollywood Way  
Burbank, CA 91505-2528  
ph: (818) 845-7500 ❖ fax: (818) 843-0300  
<http://animationguild.org>

*Effective July 21, 2015*

**CONSTITUTION AND BY-LAWS**

**of the**

**ANIMATION GUILD AND AFFILIATED  
OPTICAL ELECTRONIC AND GRAPHIC ARTS,  
LOCAL 839**

**of the**

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

**Chartered by the International Alliance of Theatrical Stage  
Employees and Moving Picture Technicians, Artists and Allied  
Crafts of the United States and Canada,  
January 18, 1952**

*Affiliated with:*

*American Federation of Labor/  
Congress of Industrial Organizations  
California Labor Federation  
Los Angeles County Federation of Labor  
International Labor Communications Association  
Western Labor Communications Association  
I.A.T.S.E & M.P.T.A.A.C District No. Two*

This Constitution and By-Laws originally approved by the  
International Alliance, April 23, 1952

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# CONSTITUTION

of the

## ANIMATION GUILD AND AFFILIATED OPTICAL ELECTRONIC AND GRAPHIC ARTS, LOCAL No. 839

of the

## INTERNATIONAL ALLIANCE OF THEATRICAL STAGE EMPLOYES AND MOVING PICTURE TECHNICIANS, ARTISTS AND ALLIED CRAFTS OF THE UNITED STATES, ITS TERRITORIES AND CANADA, AFL-CIO/CLC

### ARTICLE ONE

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

**Section 1.** The name of this organization shall be the Animation Guild and Affiliated Optical Electronic and Graphic Arts, Local 839 of the International Alliance of Theatrical Stage Employees and Moving Picture Technicians, Artists and Allied Crafts of the United States and Canada, AFL-CIO/CLC (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 Technicians, Artists and Allied Crafts of the United States, its Territories and Canada (hereinafter called the “Alliance” or “International”) and pursuant to the Constitution and By-Laws of the International.

**Section 3.** Jurisdiction of this Local shall embrace the jurisdiction set forth in the Charter granted, and as more fully defined in Article Eighteen, Sections Nine and Ten of the International Constitution.

As used herein, the term “jurisdiction” shall be construed to mean the sphere of control exercised by this Local over all persons and employments, as provided for in this Local’s collective bargaining agreements and subject to additions and deletions in future contracts.

**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:

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

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

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

(d) To assure full employment.

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

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

**Section 2.** This Local shall endeavor to accomplish the foregoing purposes by organizing the unorganized, educating the 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.**

Any member who shall, upon trial and after due process, 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 Guild. Any person applying for membership 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, national origin, sex or age.

**Section 2. APPLICATION FOR MEMBERSHIP.**

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

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 at least one-third of the total initiation fee due under Article Nine, Section Three of this Constitution, and the processing fee given in Article Twenty-one, Section Two of the International Constitution. This processing fee is not returnable.

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

**Section 3. EXAMINATION OF APPLICANTS.**

Applicants for membership may, if so decided by the General Membership, be required to pass 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 shall be essential before further application is taken.

**Section 4. OBLIGATION.**

The following obligation shall be sworn, either in person at a General Membership meeting or in writing, as a precondition of membership in this Local.

If sworn in person at a General Membership meeting, the Installing Officer shall first instruct the candidates as follows:

“Before taking the required obligation for membership in Local 839 of the International Alliance of Theatrical Stage Employees and Moving Picture Technicians, Artists and Allied Crafts of the United States and Canada, I assure you that nothing herein conflicts with any civil or religious beliefs. It requires only that you be loyal to trade Unionism and that you observe in letter and spirit the Constitution and By-Laws of Local 839 of the International Alliance, the Constitution and By-Laws of the International Alliance, and the Constitution and By-Laws of the AFL-CIO, so long as the International Alliance be affiliated with that body.

If you wish to proceed, place your right hand over your heart and repeat after me your obligation.”

The candidates shall thereupon swear to the following obligation:

“I, [your name], as a condition of my membership on Local No. 839 and in the International Alliance of Theatrical Stage Employees and Moving Picture Technicians, Artists and Allied Crafts of the United States and Canada, do solemnly pledge myself to accept and abide by the provisions of the Constitution and By-Laws of this Local and of the Alliance, as now in force and as hereafter legally amended, and hereby express my consent to be governed thereby in the conduct of my trade and in my relationship with this Local and the Alliance.



I shall always abide by the will of the majority. I will use every honorable means to secure employment for the members of this Guild, in preference to non-members. I pledge to keep confidential the work of this body and to do all in my power to discourage and prevent violation of this requirement by fellow members. Should I fail to keep true this, my solemn obligation, I shall willingly submit to such discipline as my lack of loyalty may bring upon me.”

***ARTICLE FOUR***  
**Headquarters**

The headquarters and mail office of this Local shall be within the County of Los Angeles at such place as may be designated by the Local.

***ARTICLE FIVE***  
**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, subject to all applicable state and Federal laws.

**Section 2. MEMBERSHIP MEETINGS.**

(a) Regular meetings shall be held at 6:30 pm on the last Tuesday of the months of January, March, May, July, September and November.

(b) Special meetings shall be called by the President on petition of not less than twenty-five (25) members in good standing. The request must be in writing and shall state the reasons therefor. The President as well as a majority of the Executive Board shall also have the power to call Special Membership meetings.

(c) A quorum of twenty-five members in good standing is required to transact lawful business at a Regular or Special Membership meeting.

(d) No less than fifteen (15) days notice by US Post mail and/or email shall be given to all members in good standing, of any Regular or Special Membership meeting.

### **Section 3. EXECUTIVE BOARD MEETINGS.**

(a) Regular Executive Board meetings shall be held on the first Tuesday of the month.

(b) Special Executive Board meetings may be called by the President, the Business Representative, or a majority of the members of the Executive Board, when deemed necessary for the good and welfare of the Local. All Board members shall be given no less than eight (8) hours notice by the Business Representative by US Post mail, email, telephone, telegraph or in person.

(c) Seven (7) Executive Board members in person shall constitute a quorum at all Regular and Special Executive Board meetings.

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

**Section 1. ELECTED OFFICERS AND ELIGIBILITY.**

x            There shall be elected to office the following officers:

- (a) President
- (b) Vice-President
- (c) Business Representative
- (d) Recording Secretary
- (e) Sergeant-At-Arms

(f) Executive Board - to consist of the President, Vice-President, Business Representative, Recording Secretary, Sergeant-At-Arms, and eleven (11) others, making a total of sixteen (16) members. The names of the untitled Executive Board candidates shall appear on the ballot with the voter instructed to vote for no more than eleven (11) candidates.

(g) Board of Trustees - consisting of the three (3) Executive Board members receiving the highest vote count in the most recent election.

(h) Delegates to International or District convention [for eligibility, nomination and election procedures, see Article Six, Section Six below.]

(i) Eligibility. To be eligible for office, a member must have first joined, or transferred into this Local, at least two years previous to this date of nomination; must have been active in this Local for a period of twelve months previous to the date of nomination, and must have been in good standing in this Local for a period of two years previous to this date of nomination, and must not be disqualified from holding Guild office under any applicable Government law.

No person may be a candidate for or hold more than one office, except that any officer may be a delegate to any labor council or convention at which this Local has the right of representation, and may also serve on committees.

## **Section 2. NOMINATIONS.**

All nominations must be made at the regularly scheduled meeting in the month of September, in those years when an election is scheduled.

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 shall proceed.

Nominations shall be taken for offices in the order given in Section One above. All nominees must be present to accept nomination, or else may signify in writing, addressed to the Recording Secretary, their willingness to accept nomination. Nominators and seconds shall be active members in good standing, but nominations need not be seconded. A quorum at the nomination meeting is not required to proceed with nominations.

**Section 3. ELECTION PROCEDURE.**

The election shall be held once every three years, commencing the year 1986. At such election, there shall be elected the Officers provided for in Article Four, section one above,

The American Arbitration Association, or another such reputable organization as determined by the membership, shall serve as the Judge of Elections (hereinafter the “Judge”). The Judge shall prepare the Notices of Election, and shall mail said materials from its premises.

Notices of Election shall be mailed to all active members at least fifteen (15) days prior to the counting and certification of ballots, which notice shall include the ballot and two (2) envelopes. Envelope #1 shall be a stamped envelope bearing the address or post office box number of the Judge. Envelope #2 shall be the “ballot envelope”.

The Notice of Election shall clearly state that only those members with fourth quarter dues paid as of 5:00 pm on the day preceding the counting and certification of ballots, shall have their ballots counted in the election.

Active members who pay all dues and assessments and return to good standing within two (2) days prior to the counting and certification of ballots, shall be mailed a Notice of Election, or at the member’s option may receive a ballot in person from the Judge.

All reasonable requests of any candidate to distribute campaign literature by mail or 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 to copy) a list containing the names and last known addresses of all active members of this Local who are subject to a collective bargaining agreement requiring membership in this Local as a condition of employment.

**Section 4. COUNTING AND CERTIFICATION OF BALLOTS.**

The Judge shall count the ballots and certify the election results on the second Saturday in November following the nomination meeting, at a time and place to be determined by the Judge. No ballots received later than 5:00 pm on the day preceding the counting and certification, and no ballot received from a member not in good standing as of 5:00 pm on the day preceding the counting and certification, shall be counted. Any candidate shall have the right to be present or to have an observer (who must, however, be a member of the Local) present at the counting of ballots.

The Judge shall mail or deliver the results of the election to the incumbent Recording Secretary, who shall present the results at the next regular Membership meeting.

**Section 5. INSTALLATION.**

The officers elected shall be installed at the regular Executive Board meeting in the month of December immediately following an election, and shall subscribe to the following required pledge before entering upon the duties of their office:

## *Nomination and Election of Officers*

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“I (full name) do hereby pledge my word of honor to perform the duties of my office as set forth in the Constitution and By-Laws of the Animation Guild and Affiliated Optical Electronic and Graphic Arts, Local 839 of the International Alliance of Theatrical Stage Employees and Moving Picture Technicians, Artists and Allied Crafts of the United States and Canada, to the best of my ability; and to bear true allegiance to the International Alliance of Theatrical Stage Employees and Moving Picture Technicians, Artists and Allied Crafts of the United States and Canada. At the close of my official term, I solemnly promise that I will deliver to my successor in office all books, papers and property of this Guild, which may be in my possession. I further pledge that at the close of my official term I shall deliver to my successor in office all property in my possession belonging to the International Alliance of Theatrical Stage Employees and Moving Picture Technicians, Artists and Allied Crafts of the United States and Canada. To these promises I pledge you my word, fully realizing that to violate this pledge is to stamp me a person unworthy of trust.”

Upon the conclusion of this pledge, the Installing Officer shall instruct the officers as follows:

“You have obligated yourself to faithfully and to the best of your ability discharge the duties of your office. You will now proceed to your station and perform the duties

of that office and so conduct yourself as to be worthy of the trust reposed in you.”

**Section 6. DELEGATES TO INTERNATIONAL OR DISTRICT CONVENTIONS.**

Delegates to International or District Conventions shall be elected as described in this Section.

Nominations must be made at a regularly scheduled meeting no less than two (2) months before a Convention is scheduled. The President or Business Representative (or both, if the Local is entitled to two or more delegate votes) shall serve as delegates *ex officio* to all Conventions. Any active member in good standing of this Local shall be eligible to serve as a Delegate.

If the number of candidates for the position of Delegate (including delegates *ex officio*) does not exceed the number of delegate votes accorded to the Local, the Recording Secretary shall cast a unanimous vote for all candidates, and same shall dispense with the requirement of a secret ballot vote for the office of Delegate. In such event, the membership shall immediately proceed to vote on the apportionment of delegate votes among the delegates.

If the number of candidates exceeds the number of votes as described above, the delegates *ex officio* shall be given one delegate vote each. For each remaining delegate vote, a secret ballot election shall be held at the same meeting where the nominations took place.



**ARTICLE SEVEN**  
**Duties of Officers**

**Section 1. PRESIDENT.**

The President shall preside at all meetings of the membership and the Executive Board and shall at all times conduct same in accordance with this Constitution and By-Laws and the standing rules attached thereto. The President shall not make or second any motion nor take part in any debate while in the chair, and in the case of a tie vote, the President shall have the deciding vote.

For misconduct during the course of a meeting, the President may summarily fine a member in an amount not to exceed Twenty-Five Dollars (\$25.00), for each separate offense, and/or, at the discretion of the President, said member may be summarily ejected from the meeting if his or her 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 By-Laws and shall be a member *ex officio* of all committees.. The President shall appoint the members of all committees. The President shall attend all meetings of the Board of Trustees.

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

**Section 2. VICE-PRESIDENT.**

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

**Section 3. RECORDING SECRETARY.**

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

**Section 4. BUSINESS REPRESENTATIVE.**

(a) The Business Representative shall be a full-time employee of the Local. The Business Representative shall have no other gainful employment under the jurisdiction of this Local, as defined in Article One of this Constitution.

The minimum scale rate of pay for the Business Representative shall be the “off-clock” rate as determined by the Local’s collective bargaining agreement. The rate of pay above this minimum shall be determined by the Executive Board. The Business Representative shall have health and pension benefits and vacations with pay as provided for in the Local’s collective bargaining agreements.

The Business Representative shall render regular expense accounts, and shall file reports of any reimbursements with the Executive Board.

## *Duties of Officers*

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(b) *Supervision of Business Affairs.* The Business Representative shall have general supervision if all of the business affairs of this Local. The Business Representative shall be in direct charge of the Business Office of this Local. With the approval of the Executive Board, the Business Representative shall have the power to engage and dismiss all office employees.

The Business Representative shall have the right to be present and have voice and vote at all meetings of this Local of whatever nature and shall be a member *ex officio* of all committees.

The Business Representative shall keep a true and accurate record of all income and disbursements and all assets and liabilities of this Local. The Business Representative shall deposit all monies in a financial institution insured by an agency of the United States Government and approved by the Executive Board, same to be in the name of the Local. Any checks or withdrawals written from these accounts must bear two signatures from among the President, Recording Secretary and Business Representative.

Following a reasonable advance notice, active members in good standing may review the financial books and accountants' findings, in the Guild office during regular business hours.

The Business Representative must deliver to her/his successor in office all monies, vouchers, receipts, and other properties that he may have belonging to this Local. The Business Representative shall not be permitted to have in his/her possession outside of the Business Office

any monies, properties, or other assets belonging to this Local, but shall be permitted to carry a credit card secured by the Local for the express purpose of paying for charges incurred while performing duties of the office . The Business Representative shall not loan nor invest any funds of this Local unless the same has been approved by the Executive Board.

The Business Representative shall prepare and forward to the proper governmental agencies all Social Security, unemployment, old age, tax and other reports, both state and Federal, as required by law.

*(c) Relations with Members and Employers.* The Business Representative shall represent this Local in all relations with and between members. The Business Representative shall be the representative of this Local in and of its members in all relations with their respective employers, and, pursuant to the direction of the Executive Board, shall enter into such negotiations and agreements as are necessary in the conduct of the affairs of this Local and in said employer and employee relationships.

The Business Representative shall be the chairman *ex officio* of all collective bargaining agreement negotiation committees. Collective bargaining agreements 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.

The Business Representative shall refer to the Executive Board all grievances, complaints, disagreements and disputes arising between members, or between members and their employers, which the Business Representative may be unable to determine or which the Business Representative believes warrant the attention of the Board.

## *Duties of Officers*

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The Business Representative shall enforce the collection of all dues, fees, fines, assessments and monies payable to this Local. When necessary, the Business Representative shall visit the studios and locations of productions of the employers to examine the cards of members. The Business Representative shall remove from work persons who are working when not in good standing, and shall fill their places with members in good standing, unless such action shall be contrary to law.

The Business Representative shall assist the families of deceased members at funerals, and shall provide a suitable floral offering at the expense of and from the Local.

*(d) Compliance with Laws.* The Business Representative shall enforce the Constitution, By-Laws, Working Rules and all other regulations of this Local and of the International, and may summon before the Executive Board any member who is suspected of violating any provision this or the International Constitution and By-Laws.

*(e) "Out-of-Work" System.* The Business Representative shall establish and maintain an "Out-Of-Work" system wherein shall be placed the names of members who are seeking employment, and the Business Representative shall endeavor to place as many unemployed members in positions as possible, with employers with which this Local has collective bargaining agreements.

*(f) Correspondence and Records.* The Business Representative shall have charge of all correspondence and be custodian of the seal. The Business Representative shall have charge of all papers, books resolutions,

minutes and other documents pertaining to the general affairs of this Local, except where otherwise provided herein. The Business Representative shall keep and maintain complete records of the names, addresses home phone numbers, employment histories, payment histories, original Guild applications and all other relevant information on all members.

The Business Representative shall prepare and forward to the International a report of the membership upon quarterly report blanks furnished by the International. The Business Representative shall be responsible for insuring that all books and records of the Local, used as basis for preparing reports required by law to be filed with the Government, are preserved for at least five years from the date such reports were filed.

#### **Section 5. BOARD OF TRUSTEES.**

The financial records of this Local shall be reviewed every six (6) months by the Board of Trustees, who will make a report of their finding at the next regular Membership meeting. The Board of Trustees shall require that any officers and employees of this Local 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.

#### **Section 6. EXECUTIVE BOARD.**

(a) *Supervision.* The Executive Board shall have general supervision of all affairs of this Local and shall be vested with all authority necessary for the government thereof, subject, however, to the provisions of this Constitution and By-Laws. It shall interpret all laws and regulations and

## *Duties of Officers*

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shall be responsible for the enforcement thereof, and may perform such acts and make such rulings consistent with this Constitution and By-Laws as may be necessary to carry on the affairs and promote the interests of this Local.

The Executive Board shall decide upon all matters referred to them by the Business Representative or the membership, and their decision shall be binding unless reversed by a majority vote of the members present at a regular or special Membership meeting.

The Executive Board shall employ the services of a responsible certified public accountant to examine the financial books at least once a year, and to audit the books following each general election. The Board may inspect or order an audit of the financial books of the Local at any time.

No persons shall have the right to sign their names to any document of whatever nature as the agent or representative of this Local unless authorized by the Executive Board, or the membership, or except as otherwise provided in this Constitution and By-Laws.

*(b) Complaints.* The Executive Board shall investigate all complaints referred to it by the Business Representative or by members and shall decide, if possible, upon all questions in dispute between employer and employee, or between employees, accepting any honorable means toward an amicable settlement that may be deemed essential to the best interests of this Local. The Board, in its discretion, may request the President to appoint a Grievance Committee to act in its stead.

(c) The Board shall have such other powers and duties as may be elsewhere provided in this Constitution and By-Laws. The Board may at any time waive its power and refer any matter to the General Membership for action, and such action by the membership may be final.

**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. The Sergeant-At-Arms shall carry out such instructions as are given by the presiding officer, relative to the maintenance of order at meetings.

**Section 8. DELEGATES TO INTERNATIONAL AND DISTRICT CONVENTIONS.**

The delegates shall perform their duties as prescribed by the Constitution and By-Laws of the International Alliance and District No. Two, and report thereon at the next regular Membership meeting following the Convention.

**Section 9. VACANCIES.**

Members elected or appointed under this Section must meet the qualifications for office as set forth in Article Six, Section One above.

(a) *President.* In the event a vacancy occurs in the office of President, the Vice-President shall serve as Acting President until the next regular Executive Board meeting at which time the Acting President will be sworn in and automatically assume the office of the President. If a vacancy



## *Duties of Officers*

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occurs at a time when the office of Vice President is also vacant, the Recording Secretary shall serve as Acting President until the next regular Membership meeting. At that meeting, a By-Election shall be held by secret ballot to fill the position of President. The President thus selected or elected shall serve the remainder of the term of the previous President.

*(b) Business Representative.* In the event a vacancy occurs in the office of Business Representative, the Executive Board shall meet within twenty-four (24) hours of such vacancy, or as soon as practicable, to appoint an Acting Business Representative. The Acting Business Representative shall serve until the next regular Membership meeting. At that meeting, a By-Election shall be held by secret ballot to fill the position of Business Representative. The Business Representative thus elected shall serve the remainder of the term of the previous Business Representative.

*(c) By-Election Procedure.* At a meeting where a By-Election is called for, the By-Election should be the first order of business of the meeting. Nominations shall be taken for the open office that was the trigger for the election. All nominees must be present to accept nomination, or else may signify in writing via postal mail or email to the Recording Secretary their willingness to accept nomination. Nominees, nominators and seconds shall be active members in good standing, but nominations need not be seconded.

All nominees' names shall be placed on a ballot and provided to members for voting. Only members in good standing are eligible to vote. Ballots shall be collected into a sealed box (or boxes, if needed) supervised by the Sergeant-At-Arms. Once all ballots have been cast, the box (or boxes) shall be opened and the ballots counted.

The winner of the election will be the member who received the most votes.

*(d) Trustee.* In the event a vacancy occurs in the office of Trustee, the Executive Board member receiving the next highest vote in the previous election shall automatically fill the role of Trustee.

*(e) Delegate.* In the event a Delegate to an International or District convention fails or is unable to perform his duties, the remaining delegates shall meet to apportion his delegate votes among the remaining members of the delegation. Any Delegate who fails to perform his duties as described in Section Eight above, shall be liable for any expenses incurred by the Local.

*(f) Other Officers.* In the event a vacancy occurs in the position of Vice-President, Recording Secretary, Sergeant-At-Arms, or Executive Board member, the Executive Board shall set a date for nominations to fill the vacancy. Said nominations shall be held no sooner than at the next regularly scheduled Board meeting.

In the event there is only one nominee, the election may take place at the nomination meeting. Otherwise, the election shall take place at the next regularly scheduled Board meeting following the nominations, and the newly elected officer shall be sworn in as soon as is practical.

The Guild office shall make every reasonable effort to inform all officers within forty-eight hours of any vacancy.

*(g)* The Executive Board shall request the resignation of any Executive Board member who has retired from the jurisdiction of this Local.

**Section 10. ABSENCES.**

(a) Each Executive Board member must attend all Executive Board meetings and all Membership meetings. Any Executive Board member who has been absent from any three (3) meetings in any six (6) month period may continue to serve as an Executive Board member, but the Executive Board shall vote as to whether or not they will continue to receive their dues as provided in Article Nine, Section One, paragraph (c) of this Constitution. The Executive Board may adopt other provisions to enforce attendance of Executive Board members at meetings.

(b) The Executive Board shall have the power to grant any Executive Board member a leave of absence from their duties if in its discretion the circumstances warrant. Said leave shall be for a period not to exceed one (1) year. The Executive Board may appoint a qualified substitute to serve for the period of such leave, or any part thereof.

An Executive Board member on leave of absence shall not receive their dues as provided in Article Nine, Section One, paragraph (c) of this Constitution, for the period of said leave.

***ARTICLE EIGHT***

**Transfer**

Any members 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 guild or union of which they were a member.

The Executive Board shall have the power to modify or waive the provisions of this Article in specific circumstances.

**ARTICLE NINE**  
**Revenues**

**Section 1. DUES.**

(a) Dues shall be based upon the minimum weekly journeyman rate of the classification in which the member is or was most recently employed as of the first day of the quarter in which such dues are due and payable. Dues for each fiscal quarter shall be payable in advance at the Business Office on or before the tenth day of the quarter. Members must keep themselves advised of the status of their account.

(b) The fiscal quarters shall begin January 1, April 1, July 1 and October 1.

(c) Except as provided in Article Seven, Section Ten of this Constitution, the President, Vice-President, Business Representative, Recording Secretary, Sergeant-At-Arms, members of the Executive Board and stewards shall receive their dues quarterly for services rendered, and shall be issued a paid-up card during their period of service.

(d) Whenever the per capita tax which must be paid by this Local to the International under Article Nineteen, Section Twelve of the International Constitution is increased, the quarterly dues shall be increased in a corresponding amount in order to compensate for such per capita tax increase.

(e) Except as noted in this Section, the amount of dues shall not be increased, nor any special assessment be levied unless approved by secret

ballot of the members in good standing present at a regular or special Membership meeting, written notice of which has been mailed and/or emailed to the members at least fifteen (15) days in advance.

**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 to the membership a special assessment.

**Section 3. INITIATION FEES.**

(a) The initiation fee shall consist of two weeks' scale wages, calculated according to current contract standards, for the job classification of the applicant at the time of first employment. The Executive Board shall have the power to waive or modify this charge for certain periods, if necessary, in connection with organizational campaigns.

(b) Applicants whose first employment is paid on a unit basis as per the collective bargaining agreement shall be charged one-half of the amount indicated in (a) above. The balance of the initiation fee shall be due and payable when the member is first employed under a regular salary as per the collective bargaining agreement.

(c) No less than one-third of the initiation fee must be deposited with the application for membership, and the remainder must be paid before an accepted applicant can be obligated.

**ARTICLE TEN**  
**Membership Standing**

**Section 1. GOOD STANDING.**

The term “good standing” as used in this Constitution and By-Laws shall be construed to mean that members have fully complied with all their financial obligations to the Local.

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

**Section 2. ACTIVE MEMBERSHIP.**

As used in this Constitution and By-Laws, an “active member” is a person who is fully obligated to uphold the Constitution and By-Laws of this local and the International and who is neither withdrawn nor suspended from this local, as provided in this Article.

**Section 3. HONORABLE WITHDRAWAL.**

(a) To qualify for honorable withdrawal, members must be in good standing, and must not be currently employed under the jurisdiction of this Local.

(b) Members on honorable withdrawal may request reinstatement, or shall be automatically reinstated upon their employment under the jurisdiction of this Local.

## *Membership Standing*

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(c) Members on honorable withdrawal who are reinstated within three hundred and sixty-five (365) days of the date of withdrawal, will be assessed full dues for all quarters on withdrawal.

(d) Members on honorable withdrawal who are reinstated after three hundred and sixty-five (365) days have elapsed from the date of withdrawal, will be assessed a reinstatement fee of Twenty Five Dollars (\$25.00), and either the IATSE per capita fees for the period of withdrawal, or one-half of the prevailing initiation fee, whichever is less.

(e) Requests for honorable withdrawal must be in writing, and signed by the member or be emailed to the Business Office by the member. Requests for honorable withdrawal must be received by the Business Office by the tenth day of the quarter, to avoid obligation for that quarter's dues.

### **Section 4. SUSPENSION.**

(a) Members in bad standing for thirty (30) days after the beginning of the quarter are subject to suspension.

Persons in danger of suspension shall receive prior written notice from this Local, sent by certified mail to their last known address.

(b) Suspended members may request reinstatement, or shall be automatically reinstated upon their employment under the jurisdiction of this Local. Members reinstated from suspension will be assessed the following in addition to the full amount owed when suspended:

1. If the member has been suspended for less than three hundred and sixty-five (365) days, the full dues for the period of suspension;
2. If the member has been suspended for three hundred and sixty-five (365) days or more, the IATSE per capita fees for the period of suspension;
3. A reinstatement fee of Twenty Five Dollars (\$25.00) for each quarter on suspension, to a maximum of One Hundred Dollars (\$100.00).

***ARTICLE ELEVEN***  
**Impeachment of Officers**

**Section 1. GROUNDS.**

Officers of this Local may be impeached for a violation of their 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 or of the Constitution and By-Laws of the International 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 and must be filed within sixty (60) days after the offense becomes known to the accuser or reasonable should have been discovered.



**Section 3. PENALTY FOR MALICIOUSLY FILING FALSE CHARGES.**

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

**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 International. Charges shall be filed with the Recording Secretary of this Local.

The Executive Board shall appoint a trial board of five or more active members of the Local in good standing to hear any charges of impeachment. No member of the Executive Board or member/employee of the Local may serve as a member of a trial board hearing charges of impeachment against any officer. The Trial Board shall designate one of its number to act as chairman. A new Trial Board, in the discretion of the Executive Board, may be constituted for each trial.

If a majority of the Executive Board members have been charged, the charges may be filed with the International President who shall be empowered in that event to appoint the members of a Trial Board who shall be either members of this Local or any other Local of this Alliance.

**Section 6. COGNIZANCE OF CHARGES.**

The Recording Secretary shall refer the charges to the Executive Board which shall have the power to declare such charges cognizable or not. If cognizance is taken of the charges, the Executive Board may, if it deems it necessary or advisable, temporarily suspend he accused from office and, in that event, further payment of salary to such accused officer shall be withheld pending the outcome of the trial. The Executive Board shall in that event make suitable provisions for the efficient discharge of the duties of the accused during the suspension period. If the Recording Secretary is charged, the charges may be filed with any other officer of this Local not under charges.

Whenever an officer is temporarily suspended from office under the terms of this Section, such officer shall be entitled to a trial no later than thirty (30) days after the date of his suspension. In the absence of extenuating circumstances, failure of this Local to comply with the foregoing requirement shall result in the dismissal of the charges by the International President.

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

**Section 7. WITHDRAWAL OF CHARGES.**

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

**Section 8. NOTICE.**

Within one week after cognizance of the charges is taken, the Trail Board shall cause to be served upon the accused officer, personally or by certified mail to the officer's last known address, a duplicate copy of the charges and shall notify the officer of the time and place appointed for the hearing thereon. 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 Trial Board and upon application, be granted a postponement or continuance to some place and date agreed upon.

**Section 10. APPEARANCE FOR TRIAL.**

The accused may waive the right of appearing before the Trail Board, or they may designate a fellow member in good standing of this Alliance as counsel to appear for them and to conduct their defense, provided that such waiver of appearance shall not be prejudicial to the accused. If the accused fails to appear on the date designated for trial, the trial shall proceed in their absence.

**Section 11. TRIAL.**

The Trial Board 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 trial the provisions of Article Twelve, Sections, Sixteen, Seventeen, Eighteen, Nineteen and Twenty of this Constitution shall be observed.

**Section 12. WAIVER OF TRIAL.**

If charges as required by Section Two hereof have been filed, the accused may plead guilty and waive the holding of the trial provided they do 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 them by reason of such plea. If the accused wishes to plead guilty with an explanation, such explanation shall also be in written form. An accused who pleads guilty to charges shall be deemed to have waived his right on any appeal to raise any question concerning his guilt or innocence and his appeal in that event shall be limited to the question of the appropriateness of the penalty or penalties imposed upon them. No stenographic transcript or recording shall be required if a plea of guilty is entered in accordance therewith.

**Section 13. PENALTY.**

The guilt or innocence of the accused shall be determined by a majority vote of the Trial Board. If the accused is found guilty as charged it shall then become the duty of said Board to declare to office of the accused vacant. The successor of said officer shall be selected in a manner provided in Article Seven, Section Nine of this Constitution, and the said accused shall, in addition, be subject to such discipline as the Trial Board may decide to impose upon him, including expulsion, suspension and/or fine.

**Section 14. APPEALS.**

Appeals from decisions made under this Section shall be heard as covered by Article Thirteen of this Constitution.

***ARTICLE TWELVE***  
**Discipline of Members**

**Section 1. GROUNDS.**

In addition to the penalties expressly provided under the various sections of this Constitution and By-Laws, members who shall breach their duties as members by violation of the express provisions of the Constitution and By-Laws of this Local or this Alliance or by such conduct as is detrimental to the advancement of the purposes which this Local or the Alliance pursues, or as would reflect discredibly upon this Local or this 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 or assessments lawfully imposed under this Constitution and By-Laws, shall not be entitled to stand trial, but may be punished summarily as this Constitution and By-Laws provide.

**Section 3. CHARGES.**

All charges against a member for violation of this Constitution and By-Laws must be in writing, in the form of a sworn affidavit, reciting clearly the offense charged, the name of the accused, the time, place and nature of the violation, the Section or Sections of this Constitution and By-Laws or of the Constitution and By-Laws of the International 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 and must be filed within sixty (60) days after the offense becomes known to the accuser or reasonable should have been discovered.

**Section 4. PENALTY FOR MALICIOUSLY FILING FALSE CHARGES.**

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

**Section 5. CHARGES FILED IN DUPLICATE.**

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

**Section 6. BY WHOM AND TO WHOM PREFERRED.**

Charges against members may be preferred by any member or officer of the International. Charges shall be filed with the Recording Secretary of this Local..

**Section 7. COGNIZANCE OF CHARGES.**

The Recording Secretary shall refer the charges to the Executive Board at its next regular meeting. The Board shall have the power to declare such charges cognizable or not.

**Section 8. WITHDRAWAL OF CHARGES.**

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

**Section 9. PUBLICATION OF CHARGES.**

After the Executive Board has taken cognizance of the charges, they shall be read at the next General Membership meeting 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 Recording Secretary. The presiding officer shall refer the charges to the Executive Board for trial.

**Section 10. WAIVER OF TRIAL.**

If charges as required by Section Three hereof have been filed, accused may plead guilty and waive the holding of the trial provided they do so in a written notarized and witnessed statement and have been advised in writing as to the range of penalties that may be imposed upon them by reason of such plea. If accused wishes to plead guilty with an explanation, such explanation shall also be in written form. Accused members who plead guilty to charges shall be deemed to have waived their right on any appeal to raise any question concerning their guilt or innocence and their

appeal in that event shall be limited to the appropriateness of the penalty or penalties imposed upon them. No stenographic transcript or recording shall be required if a plea of guilty is entered in accordance herewith.

**Section 11. NOTICE.**

Within one week after reference of the charges, the Executive Board shall cause to be served upon the accused, personally or by certified mail to accused's last known address, a duplicate copy of the charges and shall notify them of the time and place appointed for the hearing thereon. Such notice shall be served on or mailed to accused at least fifteen (15) days prior to the date of the hearing.

**Section 12. 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 Trial Board and upon application, be granted a postponement or continuance to some place and date agreed upon.

**Section 13. APPEARANCE FOR TRIAL.**

Accused may waive the right of appearing before the Trial Board, or may designate a fellow member as counsel to appear for them and to conduct their defense, provided that such waiver shall not be prejudicial to the accused and the trial shall, if they fail to appear, proceed in their absence.



**Section 14. TRIAL BOARD.**

The Executive Board may constitute itself as the Trial Board, with the exception of such members thereof as may be involved as accused, charged party or witness to the complaint. In place of the above, the Executive Board may constitute and five or more members thereof as the Trial Board, or it may appoint a Trial Board of five or more members of the Local in good standing for that purpose, and shall designate one of said number to act as Chairman. A new Trial Board, in the discretion of the Executive Board, may be constituted for each trial.

**Section 15. CHALLENGES.**

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

**Section 16. TRIAL IN OPEN MEETING.**

Where the accused shall be aggrieved by the ruling of the Trial Board upon their challenge of an individual member or members, or shall challenge the entire Trial Board for cause, accused shall have the election to proceed before the Trial Board, waiving their challenge, or to demand a trial before the members of the Local in attendance at the next General Membership Meeting. Provided, that if accused elects to be tried in the last-named manner the hearing shall be conducted in the manner set forth for trials before the Trial Board, and Section Twenty-Five of this Article.

**Section 17. TRIAL.**

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

**Section 18. MEMBER COUNSEL.**

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

**Section 19. WITNESSES SWORN.**

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

**Section 20. DEPOSITIONS.**

If witnesses are unable to attend the trial, a written deposition of their 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 21. TRANSCRIPT.**

The Trial Board shall determine whether to make a verbatim written transcript of all testimony adduced at the hearings or to record the proceedings. In the latter event and in the case of an appeal to the International President, the recording must be fully and accurately transcribed in written form.

**Section 22. REPORT OF FINDINGS.**

The Trial Board shall, after hearing all of the evidence, render a written decision, including findings of fact, and as to the guilt or innocence of the accused and, if the accused be guilty, the penalty to be imposed. Such decision shall be final and binding on the accused, subject only to such membership action as is permitted by Section Twenty-Four of this Article, or the right to appeal as provided by Article Thirteen of this Constitution.

A copy of said report shall be filed with the Recording Secretary 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 or recording of the proceedings and the evidence shall be available for examination by the accused or their member counsel and the offices of the Local or, if so requested by the accused in writing, a copy thereof shall be furnished to the accused at their own expense. Immediately upon receipt of the transcript or recording, the Local shall notify the accused in writing of its availability.

**Section 23. ACTION BY MEMBERSHIP OF GUILD.**

At the next membership meeting of the Local but in no event sooner than twenty (20) days from the date on which accused has been notified of the availability of the transcript or recording, the written decision of the Trial Board shall be submitted to the membership.

**Section 24. ACQUITTAL OR CONVICTION.**

After submission of the written decision, if aggrieved by the decision of the Trial Board, any member in attendance at the meeting, including

members of the Trial Board, shall be afforded an opportunity to speak either in favor of or against such decision. Upon completion of debate, the membership may proceed to vote upon granting the guilty party a reduced penalty, or to pardon said party from the conviction. Unless the membership so votes, the decision of the Trial Board shall stand.

When the membership meeting is adjourned, available remedies within the Local shall be deemed exhausted.

**Section 25. WHERE TRIAL WAS BEFORE LOCAL.**

Where accused is tried before the Local as provided in Section Fifteen of this Article, the guilt or innocence of accused and the penalty to be imposed shall be determined by majority vote of the members present and shall be voted upon separately

**Section 26. SENTENCE REPORTED TO INTERNATIONAL PRESIDENT.**

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

***ARTICLE THIRTEEN***

**Appeals**

**Section 1. RIGHT OF APPEAL.**

Any member aggrieved by the decision, rule, regulation, order or any act or omission or mandate of an officer or of the Executive Board of this

## *Appeals*

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Local may, after exhausting his remedies within the Local by appeal to the membership, appeal his case in the following order:

(a) from the decision of the Trial Board and/or the membership of the Local to the International President of the Alliance;

(b) from the decision of the International President to the General Executive Board of the Alliance;

(c) from the ruling of the General Executive Board to the Alliance in convention assembled.

The last shall be the tribunal of ultimate judgement. However, in the interim, rulings of any proper tribunal of this Local or the Alliance shall be enforced pending disposal of appeal, unless a stay of the decision, upon application, has been granted by the reviewing tribunal. All decisions of the Trial Board must be heard by the membership of the Local within sixty (60) days of the date of the decision 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 of 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 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 cast shall include the sworn charges and the transcript of testimony (or, if a recording was made, the original unedited recording and stenographic transcript thereof), the decision of the Trial Board, and any additional matters of evidence on record. The correctness of the transcript, or of the recording and stenographic transcript thereof, and the record, shall be certified by the Local under appropriate seal. The Local shall also answer to the appeal, setting forth reasons the decision should be sustained, and serve a copy of the answer on the appellant.

**Section 5. DECISIONS CONCLUSIVE.**

The members of this Local shall submit all their rights within the Local and the Alliance to the determinations by the proper tribunals, whose decisions shall be final and binding except for the appeals processes provided herein.

**Section 6. EXHAUSTING INTERNAL REMEDIES.**

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

### ***ARTICLE FOURTEEN***

#### **Permanency**

This Local shall not dissolve itself while there are seven (7) dissenting members, nor shall this Article of the Constitution be subjected to any alteration or amendment whatsoever.

### ***ARTICLE FIFTEEN***

#### **Amendments to the Constitution and By-Laws**

**Section 1.** The Constitution and By-Laws, or any section thereof, may be amended only by a two-thirds favorable vote of the members at a Membership meeting.

All proposed amendments to the Constitution and By-Laws shall be in writing, and must be submitted by an active member or members in good standing. Prior to their submission to the membership, all proposed amendments must be submitted to the Executive Board for recommendation to the membership. Any such recommendation shall be by a two-thirds vote of the Executive Board.

Failing the recommendation of the Executive Board, amendments to the Constitution and By-Laws may be recommended to the General Membership by a vote of at least two-thirds of the members present at the next regular Membership meeting following the Executive Board's vote.

In such event, the vote to amend shall be held at the regular Membership meeting following the meeting following the meeting where the vote to recommend was held.

All active members shall be given at least fifteen (15) days' notice of any Membership meeting at which a vote is to be taken to amend the Constitution and By-Laws, which notice shall include the subject of the amendment or amendments. Such notice may be incorporated in the Local's newsletter or shall be mailed by first-class mail to the members.

**Section 2.** Every amendment to the Constitution and By-Laws must be submitted to the International President for approval prior to its becoming law.



**BY-LAWS**

**of the**

**ANIMATION GUILD AND AFFILIATED OPTICAL  
ELECTRONIC AND GRAPHIC ARTS, LOCAL No. 839**

**of the**

**INTERNATIONAL ALLIANCE OF THEATRICAL STAGE  
EMPLOYES AND MOVING PICTURE TECHNICIANS, ARTISTS  
AND ALLIED CRAFTS OF THE UNITED STATES, ITS  
TERRITORIES AND CANADA, AFL-CIO/CLC**

***ARTICLE ONE***  
**Working Conditions**

**Section 1. IN GENERAL.**

The members of this Local have agreed to the conditions of employment concerning wages, working hours, and jurisdiction as embodied in this and the International Constitution and By-Laws, or in various working agreements (now or hereinafter to be entered into), and have agreed to be governed by those laws and agreements in all cases.

A member who violates any of said laws or agreements concerning his working conditions, or who fails to maintain the standards set forth in said laws and agreements, consents to be penalized in accordance with the laws of this Local and of the International for the discipline of members.

**Section 2. CONDITIONS EMBODIED IN AGREEMENTS.**

No provision is made in these By-Laws concerning the amount of wages or hours of employment of members. However, all provisions for wages, hours of employment, and other working conditions which are now or hereinafter may be embodied in any agreement between this Local and the various employers, shall be deemed to be part of these By-Laws, and shall be adhered to and upheld by all members for the duration of said agreements.

**Section 3. EMPLOYEES IN GOOD STANDING.**

Every member working within the jurisdiction of this Local on any production or unit, or at any studio or location, must be and remain in good standing.

**Section 4. MEMBERSHIP CARDS.**

A paid-up membership card shall confer upon the recipient all of the rights and privileges of this Local, including the right to work within the jurisdiction thereof, and no member may accept a position without first obtaining such paid-up membership card.

**Section 5. PERSONAL SERVICE CONTRACTS.**

Every personal service contract which may be entered into by any member with an employer within the jurisdiction of this Local, must contain a provision to the effect that inasmuch as said employee is a member of this Local, nothing in said personal service contract shall ever be construed

to interfere with any obligation such employee owes this Local or the International by reason of a prior obligation.

**Section 6. COMPENSATION.**

(a) If an employer fails to pay a member the prevailing wage scale, or fails to pay a member for services rendered, the member must report the same to the Business Representative within twenty-four (24) hours after such payment becomes due.

(b) A member shall not waive payment or time of payment of any salary due him for services rendered within the jurisdiction of this Local.

(c) A member who accepts less than the prevailing wage scale for services rendered within the jurisdiction of this Local, shall be fined at the discretion of the Trial Board, as provided in Article Twelve of the Constitution.

(d) A member shall not be permitted to perform work at any benefit of any kind within the jurisdiction of this Local unless paid at the prevailing wage scale. However, the Business Representative may grant permission to any member to work at such benefit without compensation.

**Section 7. TAKING FELLOW MEMBER'S WORK.**

If members have been discharged or leave their positions for failure of their employer to pay the wage scale or for failure to pay salary duethem,

or if members leaves their positions pursuant to the instructions of the Business Representative, any other member who takes such position so vacated, without first receiving the consent of the Business Representative, shall be fined at the discretion of the Trial Board, as provided in Article Twelve of the Constitution.

**Section 8. WORKING WITHIN THIS JURISDICTION.**

Members of Sister Locals of the International Alliance working within this jurisdiction shall be bound by the laws and rules of this Local, subject to the Constitution and By-Laws of the International.

**Section 9. UNFAIR EMPLOYERS.**

The Executive Board shall have the power to order any and all members to refrain from rendering service to any employer who is indebted to members of this Local for past services rendered, until all such indebtedness is satisfactorily adjusted.

No member shall be allowed to work on any production or unit, in any non-signatory studio, within the jurisdiction of this Local, that has been declared by the Executive Board and/or the International to be unfair and off-limits under the terms and conditions of this section.

Each member who continues to work in violation of this Section shall be fined by the Trial Board an amount not greater than one (1) week's pay for each offense, as provided in Article Twelve of the Constitution.

The term "unfair" as used herein to indicate the attitude of an employer shall not be construed to mean fraudulent or dishonest, but merely an

attitude of refusal upon the part of the employer to enter into, or comply with the conditions of, the collective bargaining agreement.

**Section 10. BLACKLISTING.**

Any conspiracy, connivance, or understanding on the part of any employer or employers to prevent any member from obtaining employment shall be construed as blacklisting.

A member who is a victim of such practice must notify the Business Representative, who, if he finds upon investigation that such practice is true, shall immediately notify the International and provide authentic proof thereof.

***ARTICLE TWO***  
**Conduct of Members**

**Section 1. DISLOYALTY**

A member who has been found guilty of any one or more of the following offenses, shall, in addition to the penalties expressly provided for, be subject to suspension or expulsion from membership in this Local, upon conviction of any one or more of said offenses by the Trial Board as provided in Article Twelve of the Constitution.

(a) Disloyalty to this Local, and/or disloyalty to fellow members;

(b) Any gross misconduct, including repeated violations of any Section or Sections of this or the International Constitution and By-Laws;

(c) Repeated violations of the rules concerning work within the jurisdiction of this Local;

(d) Disloyalty to the principles for which this Local and the International stand;

(e) Practicing antagonism or maliciously fostering prejudice among fellow members or members of Sister Locals of the International;

(f) Committing any act of anti-Unionism;

(g) Committing any act of malicious nature with intent to disrupt or retard the progress of this Local.

## **Section 2. MISAPPROPRIATION OF FUNDS.**

(a) Any officers or members who misappropriate any funds or property of this Local, or refuse to turn over any funds or property of this Local to their duly elected successor or to the Person entitled to the same, shall be obliged not only to make full restitution therefor but shall also be fined not less than Five Hundred Dollars (\$500.00), nor more than the amount misappropriated if in excess of Five Hundred Dollars (\$500.00), and shall in addition to such fine be liable to suspension or expulsion from membership.

(b) If any officer or member misappropriates or refuses to turn over funds or property as defined in paragraph (a) above, or in any other case where the rights and interests of this Local shall be jeopardized or involved, the Business Representative shall take such action to recover the same as provided in paragraph (a) above. If such action does not result in full restitution of the funds or property misappropriated, the Business Representative shall take such further actions as have been approved by the Executive Board, to recover such funds or property.

### **Section 3. DISORDERLY CONDUCT.**

Members are prohibited from using disrespectful or vulgar language, from acting in a disorderly manner, and from appearing in an intoxicated condition, at any Membership meetings, Executive Board meetings or Committee meetings. Members violating this section are subject to disciplinary action of the presiding officer of such meeting, in the manner provided for in Article Seven, Section One of the Constitution of this Local.

### **Section 4. QUESTIONNAIRES.**

A member who is requested by any employer, or other person, to sign any questionnaire or other paper of similar nature, which concerns or requires information concerning this Local, its jurisdiction, its members, or its financial affairs, must first submit the same to the Business Representative for approval.

**Section 5. CHANGE OF ADDRESS.**

Members who change their address or telephone number must notify the Business Office.

**Section 6. DISREGARDING ORDERS.**

Members must adhere to the proper orders of the Executive Board and Business Representative, and any member who disregards such proper orders shall be subject to disciplinary action as provided in Article Twelve of the Constitution.

**Section 7. REPORTING VIOLATIONS.**

A member who has knowledge of a violation of laws to this Local by fellow members must immediately report the same to the Business Representative.

***ARTICLE THREE***

**Committees**

**Section 1.** All committees shall be appointed by the President, with the approval of the Executive Board, and any member in good standing shall be eligible for such an appointment.

All committee members must be and remain in good standing, and shall not receive compensation for their services as such.



The President and Business Representative shall be members *ex officio* of all committees and shall have voice and vote in connection therewith.

All committees shall report regularly to the Executive Board, and shall report to the General Membership when requested.

**Section 2. MEETINGS.**

Meetings of committees shall be held at such times and places as fixed by a majority of the members thereof, unless the Executive Board or the General Membership otherwise directs.

**ARTICLE FOUR**  
**Rules Of Order**

**Section 1. ORDER OF BUSINESS.**

The order of business at General Membership meetings and Executive Board meetings shall be as follows:

- (a) Obligation of new members
- (b) Call to order
- (c) Reading of the minutes of the previous meeting
- (d) Semi-annual report of the Board of Trustees
- (e) Reports of committees

*(f)* Report of Business Representative

*(g)* Communications

*(h)* Report of Delegates

*(i)* Unfinished business

*(j)* New business

*(k)* Adjournment

## **Section 2. STANDING RULES.**

The standing rules of order at all meetings shall be as follows:

*(a)* 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.

*(b)* No motion shall be received or laid before this Guild, unless moved by two members, nor shall any motion be open for discussion until stated by the presiding officer. When a question is before the Guild no other motions shall be in order except the following, to take preference in the order arranged:

1. To adjourn;

2. To lay on the table;

## *Rules of Order*

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3. The previous question;
4. To postpone;
5. To refer;
6. To amend.

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.

*(c)* Resolutions, amendments to the Constitution and By-Laws and charges against officers and members, must in all cases be presented in writing and in the manner prescribed in the Constitution and By-Laws.

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

*(e)* Any member entitled to a vote may move for a division of the question when the sense of the same may admit it.

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

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

*(h)* At the request of five members, the minutes shall include the division of votes on any question.

(i) When members speak they shall rise and address the presiding officer, confining themselves strictly to the merits of the question under consideration. A member shall not be interrupted while speaking, unless by the presiding officer, who may call to order, or admonish to a closer adherence to the subject, and to avoid all personalities. Nor shall a member be allowed to speak more than twice on the same subject without the permission of the presiding officer. When two or more members rise at once the presiding officer shall decide who shall speak first.

(j) On the call of five members for the previous question the presiding officer shall put it in this form: "Shall the question now be put?" Until this is decided it shall preclude all amendments to the main question and further debate shall cease.

(k) In the absence of the President, the presiding officer shall, for the time, possess all the powers and privileges vested in the President by the Constitution and By-Laws of this Guild.

(l) No subject of a religious nature shall at any time be admitted.

(m) No person who is not a member shall be asked to leave any meeting without the majority consent of the body.

(n) In the absence of a standing rule to apply to questions before the Guild, recourse shall be had to Roberts Rules of Order.

(o) Questions of order shall be decided on by the presiding officer. In case of an appeal from the ruling of the chair, the presiding officer shall step down from the chair, and the body shall immediately decide upon

## *Plural and Singular*

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the appeal without debate. Upon such appeal being decided, the presiding officer shall resume the chair, and he and all others shall abide by the decision of the body.

(p) No alcoholic refreshments shall be allowed in the meeting hall while the meeting is in session.

### ***ARTICLE FIVE***

#### **Definitions**

##### **Section 1. PLURAL AND SINGULAR.**

As used in this Constitution and By-Laws the plural shall include the singular and the singular shall include the plural.



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*Figures in brackets refer to the section of the Constitution (“C”) or By-Laws (“B”). The number before the slash is the article; the number and letter after the slash refer to the section and paragraph, e. g. [C6/1h] refers to the Constitution and By-Laws, Article 6, Section I, Paragraph (h).*

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