



IATSE LOCAL 891

International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artists and Allied Crafts of the United States, its Territories and Canada • British Columbia and the Yukon

**CONSTITUTION
OF
INTERNATIONAL ALLIANCE OF THE
THEATRICAL STAGE EMPLOYEES,
MOVING PICTURE TECHNICIANS,
ARTISTS AND ALLIED CRAFTS**

IATSE LOCAL 891

AMENDMENTS APPROVED July 17, 2020

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Article 1. Name and Affiliation

1.1 Name

This organization shall be known as the International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artists and Allied Crafts of the United States, its Territories and Canada, Local No. 891 ("Local 891" or "the Local").

1.2 Established

Local 891 has been established and exists by virtue of a Charter issued on April 2nd 1962 by the International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artists and Allied Crafts of the United States, its Territories and Canada (the "International") and pursuant to the Constitution and Bylaws of the International.

1.3 Jurisdiction

Local 891's jurisdiction is that set forth in the Charter granted by the International, namely British Columbia and Yukon.

1.4 Affiliations

Local 891 is and shall remain a chartered Local of the International, and shall be affiliated with the Canadian Labour Congress (CLC) and the American Federation of Labor and Congress of International Operations (AFL/CIO), as long as the International is a part of those organizations.

Article 2. Purpose

The objects of Local 891 are to:

- (a) achieve, by organization, collective bargaining and mutual endeavour the improvement of the social, economic and working conditions of the members of Local 891;
- (b) promote and foster respectful and cooperative working relationships; and
- (c) promote the principles of trade unionism as well as progressive legislation in the areas of labour relations, workers health and safety and human rights.

Article 3. Governance

3.1 Line of Authority

- (a) Local 891's actions are governed by the following, in the following order of precedence:
 - i. the laws of British Columbia and Canada;
 - ii. the Constitution of the International;
 - iii. the By-Laws of the International;
 - iv. the Constitution of Local 891;
 - v. the By-Laws of Local 891;
 - vi. the Departmental Working Rules of Local 891.

3.1 Line of Authority (continued)

- (b) Nothing contained in the Constitution and By-Laws of the Local shall be in conflict with the Constitution and By-Laws of the International.

3.2 The Authority to Make and Overturn Decisions

- (a) The day-to-day business of Local 891 shall be conducted through:
 - i. the Offices of the President;
 - ii. the Offices of the Business Representative & Senior Steward;
 - iii. the elected Executive Board of the Local; and
 - iv. the elected Executive Committee of the Local.
- (b) Decisions of the President may be overturned by a two-thirds majority vote of the Executive Board.
- (c) Decisions of the Executive Board or Executive Committee may be overturned by a two-thirds majority vote of the membership at regular or special General Meetings.
- (d) Any member in good standing may appeal to a higher union authority regarding any action taken by any officer or official of the Local.

3.3 Meetings of the Governing Bodies

(a) General Membership Meetings

- i. The members of Local 891 shall conduct normal business at quarterly General Membership meetings to be held the first month of each quarter.
- ii. Special Meetings of the General Membership may be called by:
 - (A) the President; or
 - (B) a majority of the Executive Board
- iii. The President shall call a Special Meeting of the General Membership on the petition of at least 40 members in good standing.
- iv. The petition for a Special Meeting of the General Membership must be in writing and must state the object for which the meeting is to be called.
- v. No business may be transacted at a Special Meeting of the General Membership, other than that for which the meeting has been called.
- vi. The Executive Board shall provide all members in good standing with a minimum of 21 days advance notice of such General and Special Meetings of the Membership.
- vii. A quorum of forty (40) members in good standing is required to open a General or Special Meeting of the Membership for the transaction of lawful business.
- viii. If a quorum is not achieved at a General Meeting of the Membership, and there are items on the agenda which require an immediate decision, the Executive Board shall decide them. All such decisions of the Executive Board are legal and binding unless and until reversed by a two thirds majority of the members present at the General Meeting.

3.3 General Membership Meetings (continued)

- ix. Only members in good standing may attend and vote at General and Special Meetings of the Membership.
- x. Retired members may attend and shall have voice at General and Special Meetings of the Membership, but they are not eligible to vote at such meetings.

(b) Executive Committee Meetings

- i. Members of the Executive Committee shall meet to conduct normal business in those months where no regular General Membership meetings are scheduled.
- ii. A majority of members of the Executive Committee, each from a separate department, together with a majority of the Executive Board shall constitute a quorum for the transactions of lawful business.
- iii. A majority of the Executive Board has the power to call Special Executive Committee meetings.
- iv. The President shall call a Special Executive Committee meeting on the petition of at least 10 Executive Committee members in good standing, each from a separate department.
- v. No business shall be conducted at a Special Executive Committee meeting, other than that for which such a meeting is called.
- vi. All members of the Executive Committee and the Executive Board shall be provided reasonable advance notice of such meetings by phone and/or by e-mail.

(c) Executive Board Meetings

- i. The Executive Board shall meet at least once a month and at such other times as called by the President.
- ii. A majority of the members of the Board shall have the power to call an Executive Board meeting.
- iii. All members of the Board shall be provided reasonable advance notice of all Executive Board meetings by phone and/or by email.
- iv. A majority of Executive Board members shall constitute a quorum for the transaction of lawful business.

Article 4 Membership

4.1 Qualifications for Membership

Applicants for membership must possess sufficient experience to be employed, or be capable of obtaining employment in occupations in craft or allied craft departments within Local 891's jurisdiction. In addition:

- (a) Any person applying for membership must be entitled to work legally in Canada.
- (b) Persons seeking membership in more than one department must meet the requirements for membership in each applicable department.
- (c) An applicant must have worked under a Local 891 Collective Agreement for 90 days in any one department.

4.1 Qualifications for Membership (continued)

- (d) An applicant must not have previously engaged in conduct unbecoming a member, conduct which would bring Local 891 into disrepute, or conduct which may otherwise be the basis of charges, pursuant to Article 11: Discipline, of the Local 891 Constitution.
- (e) Any part or all of these requirements may be set aside for organizational purposes.

4.2 Applications for Membership

- (a) Every application for membership must be made upon the official printed forms of the International, and of Local 891, to be supplied to the applicant by the Local.
- (b) Any applicant who is found guilty of making false statements on their application shall, if admitted to membership, be expelled upon conviction and shall be thereafter denied admission to membership in this local. Any initiation fee paid by such member shall be forfeited upon expulsion.
- (c) An initiation fee shall be determined from time to time by the membership.
- (d) The initiation fee, processing fees and one quarter's dues must be paid prior to initiation. Should any such payment be returned due to non-sufficient funds, the applicant shall be fined and, if admitted, his/her membership and all benefits shall immediately be revoked. Such applicants must reapply.
- (e) The endorsement of the application by the General Secretary-Treasurer of the International must be obtained before any action is taken by Local 891 upon the admission of the applicant and if the endorsement is refused, the applicant shall be rejected and the processing fee shall be forfeited.
- (f) Any part or all of these requirements may be set aside for organizational purposes.

4.3 Date of Membership

- (a) Membership shall commence from the date of the registration of the member with the General Secretary-Treasurer of the International, or the date of his endorsement of the application, whichever is later.
- (b) Membership seniority in a department of Local 891 shall accrue from the day a member is granted departmental membership.

4.4 Obligations of Membership

- (a) All new members shall be supplied with a copy of the International and Local 891 Constitutions and By-Laws, and the Master Agreement.
- (b) Upon induction into membership new members shall swear or affirm their intentions to observe the provisions of this Constitution and By-Laws and the Constitution and By-Laws of the International, and to accept such laws as conclusive of their rights within the International.

4.5 Member Status

The following categories exist within Local 891's membership:

- (a) Member in Good Standing means a member who has fully met all membership obligations, financial and otherwise, and is entitled to all benefits, rights and privileges of the International and the Local Constitutions and By-Laws.
- (b) Member Not in Good Standing means a member who has failed to meet membership obligations and has thereby forfeited all or part of his/her benefits, rights and privileges of membership.
- (c) Suspended Member means a member who has failed to meet membership obligations and has thereby temporarily forfeited all benefits, rights and privileges of membership.
- (d) Retired Member means a member who has retired in the manner provided in the International Constitution.

4.6 Honourable Withdrawal from Membership

A member in good standing may withdraw from Local membership in the manner provided in the International Constitution. Local 891 shall, upon written request issue such a person an Honourable Withdrawal card.

4.7 Resignation from Membership

- (a) A member may resign from membership in the manner provided in the International Constitution.
- (b) Resignations shall become effective no later than the end of the quarter in which the resignation was tendered.

4.8 Reinstatement

- (a) A former member of Local 891 may be reinstated to membership in accordance with the provisions set forth in the International Constitution.
- (b) Former members holding Local 891 Honourable Withdrawal cards shall not be required to pay initiation or processing fees, and shall be reinstated with their original seniority.

4.9 Transfers

A member may transfer in or out of Local 891 in accordance with the provisions of the International Constitution.

Article 5. Officers

5.1 General

- (a) The officers of the Local are: President, Vice President, Corresponding Secretary, Recording Secretary, Treasurer, Member-at-Large and Sergeant-at-Arms.
- (b) No officer shall be allowed to hold more than one elected office in the Local at one time.
- (c) It is the duty of all officers to attend all General, Special Membership, Executive Committee and Executive Board meetings.
- (d) Any officer absent from three meetings, either General, Special or of the Executive Board or Executive Committee without satisfactory excuse shall forfeit his/her office. The President shall declare the office vacant and shall forthwith call a Special Election.

5.2 President

- (a) The position of the President shall be elected and full-time.
- (b) While in office, the President shall have the following duties and responsibilities:
 - i. presiding over all members of Local 891 in strict accordance with the Constitution and By-Laws of Local 891 and the International and parliamentary law as set forth in Roberts Rules of Order;
 - ii. safeguarding, at all times, the integrity of Local 891;
 - iii. having the authority to call meetings;
 - iv. being a member ex-officio of all committees except the Elections Committee;
 - v. appointing Committee Chairs;
 - vi. being responsible for the operation of the office of Local 891;
 - vii. reporting on a regular basis to the Executive Board on the business of Local 891;
 - viii. providing an annual report to the membership;
 - ix. enforcing and administering the Local Constitution and By-Laws;
 - x. being involved in all instances in the collective bargaining process between Local 891 and Employers; and
 - xi. enforcing and administering collective agreements with Employers on behalf of Local 891 and advising the membership of their rights, responsibilities and conduct of their employment under such agreements.
- (c) During the President's term of office, the President shall accept no other film or video employment under the Local's collective agreement, or otherwise.
- (d) The President shall not, while chairing a meeting, make or second any motion.
- (e) The President, whenever an equal division of votes occurs, shall cast the deciding vote, except in the election of officers, Business Representative, or Senior Steward.
- (f) The President may, during the temporary absence of any officer, appoint a member to fill the vacancy pro-tem.
- (g) The President shall, by virtue of office, be automatically entitled to be a delegate to all conventions of the International and any other meeting where delegate status is required.

5.3 Vice-President

- (a) The Vice-President shall assume the duties of President at the President's request or in the President's absence.
- (b) If the Vice-President and the President are both absent, a President pro-tem may be appointed by a majority of the Executive Board.
- (c) The Vice-President shall, by virtue of office, be automatically entitled to be a delegate to all conventions of the International and any other meeting where delegate status is required.

5.4 Corresponding Secretary

- (a) The Corresponding Secretary shall be responsible for all communications made by Local 891 and shall be a member of the Executive Board without portfolio.
- (b) The Corresponding Secretary shall, by virtue of office, be automatically be entitled to be a delegate to all conventions of the International and any other meeting where delegate status is required.

5.5 Recording Secretary

- (a) The Recording Secretary shall prepare minutes of meetings of Local 891 for the use of the Executive Board.
- (b) The Recording Secretary shall, by virtue of office, be automatically entitled to be a delegate to all conventions of the International and any other meeting where delegate status is required.

5.6 Treasurer

- (a) The Treasurer shall have the following duties and responsibilities:
 - i. ensuring that accurate records are kept of all of the Local's financial matters;
 - ii. receiving all funds of the Local and maintaining accounts in a chartered bank or other financial institution approved by the Executive Board;
 - iii. making such payments as authorized by the Executive Board and providing statements of account at the end of each month;
 - iv. sending to the International all reports which are required by the International Constitution;
 - v. providing a financial statement to the membership within six months of the end of the fiscal year; and
 - vi. overseeing all investments of Local 891 monies.
- (b) At the end of the Treasurer's term of office, an outside auditor shall audit Local 891's books before the Treasurer is relieved of responsibility.
- (c) The Treasurer shall, by virtue of office, be automatically entitled to be a delegate to all conventions of the International and any other meeting where delegate status is required.

5.7 Member-at-Large

- (a) The Member-at-Large shall investigate and, if necessary, forward to the appropriate body any internal Local 891 issues or alleged violations of the Constitution and By-Laws.
- (b) The Member-at-Large shall, by virtue of office, be automatically entitled to be a delegate to all conventions of the International and any other meeting where delegate status is required.

5.8 Sergeant-at-Arms

The Sergeant-at-Arms has the following duties and responsibilities:

- (a) Keeping a record of the persons present at meetings;
- (b) Subject to the direction of the presiding officer, enforcing compliance with any rules of order adopted at such meetings, by means which may include ejecting a member from a meeting in progress; and
- (c) Being the official scrutineer for all elections of Local 891.
- (d) The Sergeant-at-Arms shall, by virtue of office, be automatically entitled to be a delegate to all conventions of the International and any other meeting where delegate status is required.

Article 6. Executive Board

6.1 Composition

The Executive Board shall be comprised of President, Vice-President, Corresponding Secretary, Recording Secretary, Treasurer, Member-at-Large and the Sergeant-at-Arms.

6.2 Duties and Responsibilities

- (a) The Executive Board shall have the following duties and responsibilities:
 - i. maintaining the ongoing operation of Local 891 and reporting to and making recommendations to the membership;
 - ii. overseeing decisions of the President;
 - iii. investigating and resolving complaints of members and matters in dispute arising out of collective agreements to which Local 891 is a party;
 - iv. investigating and resolving complaints of member and matters in dispute of an internal nature;
 - v. where necessary, appoint a Business Representative, a Senior Steward and Executive Board members as per Article Thirteen 13.6(b) of this Constitution.
 - vi. acting at any time in an emergency; and
 - vii. considering charges proffered by members of Local 891 to determine whether they are cognizable.
- (b) All members of the Executive Board shall undertake specific assignments or duties assigned by the Executive Board or the President.

Article 7. Executive Committee

7.1 Composition

- (a) The Executive Committee is comprised of one elected representative from each department (normally the Chair) and the members of the Executive Board.
- (b) The Chairperson of the Executive Committee is the President.
- (c) Alternate departmental representatives may be elected or appointed at any duly constituted departmental meeting so long as each election or appointment is noted in the minutes of said meeting.

7.2 Duties

The Executive Committee has the power to make decisions on behalf of Local 891 between General Membership meetings and to ratify annual budgets as presented by the Treasurer, Audit Committee and Executive Board.

Article 8. Obligations of Elected Officials

8.1 Elected Officials

Elected Officials of Local 891 consist of the Business Representative and Senior Steward.

8.2 Business Representative

- (a) The position of the Business Representative shall be an elected, paid, full-time position.
- (b) The Business Representative shall have the following duties and responsibilities:
 - i. actively pursuing production work and promoting British Columbia and Yukon as a film location;
 - ii. being involved in all instances in the collective bargaining process between Local 891 and Employers;
 - iii. implementing policies of Local 891 within the production industry and the broader community;
 - iv. attending all General, Special and Executive meetings and reporting pertinent business;
 - v. by virtue of office, being a Trustee for the Health Benefits Plan; and
 - vi. administering Local 891's advertising and promotional budgets.
- (c) The Business Representative shall, by virtue of office, be automatically entitled to be a delegate to all conventions of the International and any other meeting where delegate status is required.
- (d) During the Business Representatives' term of office, the Business Representative shall accept no other film or video employment under the Local's collective agreement, or otherwise.

8.3 Senior Steward

- (a) The position of Senior Steward shall be an elected, paid, full-time position.
- (b) The Senior Steward shall have the following duties and responsibilities:
 - i. Executing and enforcing the Collective Agreement, which is the main duty and responsibility of the Senior Steward;
 - ii. Appointing or overseeing the election of a Production Shop Steward on every production and appointing or overseeing the election of a Pre-Production Shop Steward when necessary;
 - iii. Overseeing and assisting Shop Stewards in their interactions with members and Employers and acting as a liaison between the Employer representatives and Local 891;
 - iv. Working only under the direction of the Executive Board and reporting to it;
 - v. Working toward establishing and maintaining a friendly and cooperative dialogue with industry Employers.
- (c) Local 891 shall provide the Senior Steward with all information necessary for carrying out the duties of Senior Steward.
- (d) The Senior Steward, by virtue of office, shall be automatically entitled to be a delegate to all conventions of the International and any other meeting where delegate status is required.
- (e) During the Senior Steward's term of office, the Senior Steward shall accept no other film or video employment under the Local's collective agreement, or otherwise.
- (f) The Executive Board shall review the terms and conditions of the Senior Steward's employment from time to time.

Article 9. Remuneration

9.1 President

The President shall, after being sworn into office, be paid on a monthly basis an annual salary, benefits and a monthly expense allowance. The amount shall be recommended by the Executive Board and the Audit Committee and must be approved by a two-thirds majority of the Executive Committee.

9.2 Business Representative

The Business Representative shall, after being sworn into office, be paid on a monthly basis an annual salary, benefits and a monthly expense allowance. The amount shall be recommended by the Executive Board and the Audit Committee and must be approved by a two-thirds majority of the Executive Committee.

9.3 Senior Steward

The Senior Steward shall, after being sworn into office, be paid on a monthly basis an annual salary, benefits and a monthly expense allowance. The amount shall be recommended by the Executive Board and the Audit Committee and must be approved by a two-thirds majority of the Executive Committee.

9.4 Officers

- (a) All officers of Local 891 shall receive an honorarium. The amount shall be recommended by the Executive Board and the Audit Committee and must be approved by a two-thirds majority of the Executive Committee.
- (b) In addition to the honorarium pursuant to paragraph (a), all officers shall be paid at the Key Grip rate as set by the Collective Agreement, Feature Rate, for hours spent conducting the business of Local 891. Timesheets for such payments must be submitted by the 15th day of the month following the period worked.

9.5 Chairs

All Chairs of departments or their authorized designates shall be paid at the Key Grip rate as set by the Collective Agreement, Feature Rate for up to a maximum of 16 hours per department per month for attending to departmental business. Timesheets for such payments must be submitted by the 15th day of the month following the period worked.

9.6 Committee Chairpersons

All Chairs of committees shall be paid at the Key Grip rate as set by the Collective Agreement, Feature Rate for up to 16 hours per month for attending to committee business. Timesheets for such payments must be submitted by the 15th days of the month following the period worked.

9.7 Hour Bank

All hours worked by paid officials, officers and chairpersons of Local 891 shall accrue to Local 891's Health Benefits Plan for so long as that plan remains in effect.

Article 10. Funds and Financial Obligations

10.1 Auditors

The Executive Board shall appoint an Auditor who shall be a Chartered Accountant or a Certified General Accountant licensed to practice in British Columbia.

The Auditor shall conduct an annual audit of the books and accounts of Local 891 and shall render a report to the Executive Board.

10.2 Budget

The Treasurer, in conjunction with the Audit Committee and the President, shall prepare and present to the Executive Board for approval an operating budget for the fiscal year.

10.3 Signatories

Two authorized officers of Local 891 shall sign all cheques issued against the funds of the Local.

10.4 Source of Funds

The revenue of Local 891 shall be derived from fees, dues and assessments charged to members, and from investments.

10.5 Assessments

The Executive Board may set and levy an assessment on Local 891's membership to raise revenues for any purpose considered to be in the Local's interest on the condition that such assessment has been approved by Local 891's membership by mail-out ballot and/or electronic ballot.

10.6 Capital Expenditures

Any expenditure of an amount in excess of \$200,000.00 must be approved by mail-out and/or electronic ballot. Executive Committee approval of expenditures between the amounts of \$50,000.00 and \$200,000.00 is required.

10.7 Initiation Fee

The initiation fee for candidates to membership shall be as set from time to time by the Executive Committee.

10.8 Dues

- (a) Members shall pay annual dues to Local 891 at a rate set from time to time by the Executive Committee.
- (b) Any member paying for the full year prior to the 31st of March shall receive a 10 per cent discount.
- (c) In addition to annual dues, members working under a Collective Agreement to which the Local is a party shall pay working dues calculated at a rate as set from time to time by the Executive Committee and ratified by the Membership.

10.9 Payment of Monies owed to the Union

- (a) Any monies owing to the Local must be paid by the 15th of the first month following the quarter in which such payments are owing or said amounts shall be in arrears.
- (b) All other financial obligations must be paid before dues may be accepted.

10.10 Failure to Pay Monies

- (a) Members who fail to meet their financial obligations to the Local shall be deemed to be in arrears.
- (b) Members in arrears shall be notified in writing.
- (c) Members in arrears shall forfeit departmental seniority until all amounts in arrears, including fines, have been paid.
- (d) A monthly late payment charge, in an amount as determined by the Membership from time to time, shall be levied for each month a member remains in arrears.
- (e) Members may be fined, suspended and expelled without trial for non-payment of dues and other financial obligations.

- (f) After a member has been in arrears for three months the member:
 - i. is no longer in good standing;
 - ii. shall, unless the member is on medical leave, be sent a notice of membership suspension; and
 - iii. shall be fined without trial, quarterly, until the arrears are paid, in an amount to be set from time to time by the membership.
- (g) A notice of membership suspension given to a member in accordance with paragraph (f) shall:
 - i. be sent by registered mail to the member's home address as last entered in the Local's records; and
 - ii. state that the member shall stand suspended without trial unless the member pays the arrears, including fines, to the Local within 10 days of receiving the notice.
- (h) If a member fails to pay the arrears, including fines, within 10 days of receiving a notice of suspension, he/she is deemed suspended from membership.
- (i) Fines levied against a member in accordance with paragraph (e) are in addition to monthly late payment charges.
- (j) After a member has been in arrears for six months, the member shall be sent a notice of expulsion.
- (k) A notice of expulsion given to a member in accordance with paragraph (j) shall:
 - i. be sent by registered mail to the member's home address as last entered in the Local's records; and
 - ii. state that the member shall stand expelled without trial unless the member pays the arrears, including fines, to the Local within 10 days of receiving the notice.
- (l) If a member fails to pay the arrears, including fines, within 10 days of receiving a notice of expulsion, he/she is deemed expelled from membership.

10.11 Waiver

Local 891 may, where circumstances warrant, grant a member a temporary waiver of his/her arrears and excuse him/her from applicable late payment charges and fines. These waivers shall not be given in an arbitrary or discriminatory manner.

Article 11. Discipline

11.1 General

- (a) Any member, officer or official failing to comply with the International's or the Local's Constitution and By-Laws shall be punished in accordance with those documents.
- (b) Any elected or appointed officer or official may be impeached for violation of his/her office, or for an infringement of the International's or Local's Constitution or By-Laws.

- (c) Ignorance of Local 891's Constitution and By-laws are not an excuse in any case where the Constitution and By-Laws have been violated by a Local 891 member, officer or official, or by a member, officer or official of any other local of the International working in Local 891's jurisdiction.

11.2 Preferring Charges Against a Member

A member may prefer a charge against another member, officer or official of Local 891 in accordance with the procedure set out in the International Constitution.

11.3 Trial Board

The Local's Trial Body pursuant to the International Constitution shall be a Trial Board comprised of the members in good standing of the local's Good and Welfare Committee.

11.4 Decisions and Penalties

- (a) The Trial Board may impose any combination of the following decisions and penalties upon members, officers, or other subordinate bodies found guilty of charges against them;
 - i. reprimands;
 - ii. fines;
 - iii. suspensions;
 - iv. expulsions;
 - v. revocations;
 - vi. commands to do or to perform specified acts; and
 - vii. orders not to do or not to perform specified acts.
- (b) In the event of non-compliance with the decision of the Trial Board, the member, officer, official or other subordinate body shall stand suspended from all privileges of the Local until he/she or it has complied with the provisions of the decision.
- (c) No member shall be fined, save for non-payment of dues or other financial obligations, unless such member has been accorded a fair trial in the manner set forth in the International Constitution.
- (d) No member shall be suspended, save for non-payment of dues, or other financial obligations, or non-compliance with the decision of the Trial Board; unless such member has been accorded a fair trial in the manner set forth in the International Constitution.
- (e) No member shall be expelled, save for non-payment of dues, or other financial obligations; unless such member has been accorded a fair trial in the manner set forth in the International Constitution.
- (f) Any officer, official or member found guilty by the Trial Board is ineligible to hold any elected or appointed office in the Local for a period of five years, unless the Trial Board specifically waives the application of this provision in its findings.
- (g) Fines are payable to the treasury of IATSE Local 891.

11.5 Appeals

A member, officer or official affected by a decision of the Trial Board may appeal the decision to the International pursuant to the International Constitution.

11.6 Exhaustion of Remedies

Members, officers or officials of Local 891 who may have controversies related to union affairs, or against whom charges have been preferred, or against whom disciplinary or adverse action has been taken, shall be obliged to exhaust all remedies provided for in this Local Constitution and the International Constitution before resorting to any other court or tribunal.

Article 12. Amendments to the Constitution

12.1 Introduction of Amendments

- (a) The Executive Board may introduce a proposed amendment to the Constitution of Local 891 in the form of a Notice of Motion, or
- (b) A member may introduce a proposed amendment to the Constitution of Local 891 in the form of a Notice of Motion by providing the Executive Board with a petition signed by forty (40) members in good standing.

12.2 Amendment Procedure

- (a) A proposed amendment shall be referred to the Law and Legislative Committee for review. Questions regarding the legality of a proposed amendment shall be referred to legal counsel, and the law and Legislative Committee shall provide such legal findings and recommendations to the membership at the next General Meeting.
- (b) First reading and debate of a proposed amendment shall occur at this General Meeting, with consideration of any legal impediments raised. If quorum is not reached, the proposed amendment is referred to the next scheduled General Meeting.
- (c) Second reading and debate are held at the next scheduled General Meeting. If quorum is not reached, the proposed amendment is referred to the next scheduled General Meeting.
- (d) A ballot on the proposed amendment shall be sent to the membership within ten (10) business days following second reading. From that date, thirty (30) days shall be allowed for ballot return. The proposed amendment shall pass if two-thirds (2/3) of the members voting are in favour.
- (e) If the proposed amendment is passed, it shall be submitted to the International President for approval in accordance with the International Constitution. The proposed amendment is effective on the date that such approval is received from the International President.

Article 13. Nominations and Elections

13.1 Election Committee

- (a) An Election Committee, whose members are appointed by the Executive Committee, will administer all elections of Local 891 officers and officials.
- (b) The Election Committee shall consist of no fewer than seven members in good standing from seven different departments.
- (c) Five Election Committee members shall constitute a quorum for a meeting.

- (d) It will be the function of the Election Committee to:
- i. see that all elections procedures, ballot instructions and ballot handling are followed as per the Constitution and By-Laws;
 - ii. see that all nomination notifications are in place;
 - iii. ensure that all nominees meet eligibility requirements;
 - iv. present the elections results to the Executive Committee;
 - v. ensure the elections results are reported in the newsletter;
 - vi. ensure the integrity of the elections; and
 - vii. secure storage of the ballots.

13.2 Nominations

- (a) A nomination period for the election of officers and officials shall be declared open in the newsletter or by notice mailed and/or by electronic means to the membership no less than 60 days prior to the expiration of the incumbent officers' or officials' terms.

13.2 Nominations (continued)

- (b) To be eligible for nomination as an officer or official of the Local, a person must have been a member in good standing of Local 891 for two years, and must be actively engaged in the industry within Local 891's jurisdiction and have worked for at least one hundred and twenty (120) days in the past thirty-six (36) months. Time served as an officer or official or in the service of Local 891 shall be applicable towards the one hundred and twenty (120) days in the past thirty-six (36) months requirement. The continuous good standing for two years is not broken unless the member has been suspended under Local 891's Constitution and By-Laws.
- (c) Nominations may be presented in writing to the Executive Board or declared on the floor of an Executive Committee or General Membership meeting.
- (d) The nomination period shall be declared closed at the next scheduled Executive or General Membership meeting, whichever may occur first, but no less than 28 days from the date the nomination period was declared.
- (e) Once a nomination period is closed for any election, a ballot shall be sent to the membership within ten (10) business days. From that date, thirty (30) days shall be allowed for ballot return.

13.3 Elections

- (a) All elections of officers and officials of Local 891 shall be conducted by mail-out ballot and/or electronic ballot.
- (b) The candidate receiving at least 50 per cent plus one vote (of votes cast) shall be declared elected.
- (c) If no candidate receives the required majority, the candidate(s) receiving the lowest number of votes cast will be automatically dropped, and the top two candidates' names will be submitted to the membership on a second ballot.
- (d) No officer or official shall be allowed to hold more than one office at one time, or to serve as a Trustee, excluding the Business Representative who shall serve as a Trustee of the Health Benefits Trust during a term of office.

13.4 Terms and Pledge

- (a) All newly elected officers and officials shall serve for a three-year term.
- (b) All newly elected officers and officials shall subscribe to the pledge of the International before taking office.
- (c) On a one-time only basis, the length of terms for the President, Business Representative and Senior Steward shall be extended in the following manner:
 - President – term extended to December 2012 (1 year)
 - Business Representative – term extended to December 2012 (8 months)
 - Senior Steward – term extended to December 2010 (2 months)
 - All terms thereafter will be set at three (3) years from such new dates.

13.5 Transitional Period

- (a) An incoming officer or official may in his/her discretion retain in service an outgoing officer or official respectively, for a period of up to 30 calendar days, in order to provide adequate time for the necessary transfer of responsibilities.
- (b) During such transitional period, the outgoing officer or official, if so retained, shall continue to receive the same compensation and benefits he or she received while in office.

13.6 Vacancy

In case of a permanent vacancy or resignation of an elected position, the balance of the term shall be fulfilled as follows:

- (a) Nominations for vacancies occurring within two years of election shall be declared open within five (5) business days by notice to the Local's membership.
- (b) Vacancies occurring in the third year of an elected term shall be filled by appointment by the Executive Board.

13.7 Recounts/Challenges

Any member or officer may apply in writing for a recount/challenge to the Chair of the Election Committee no later than thirty (30) days after the election results have been announced.

Article 14. Permanency of the Local

14.1 Dissolution

Local 891 shall not have the power to dissolve itself if there are fifteen dissenting members.

14.2 Permanence

This Article of the Constitution shall not be altered or amended except to maintain compliance with the International Constitution.

Article 15. Newsletter

15.1 Publication

Local 891 shall publish at regular intervals, as determined by the membership from time to time, a newsletter.

15.2 Content

The newsletter shall publish the names of all elected officers and officials, the names of candidates for office and for elected positions, the dates and times for meetings, notices of motion and other correspondence and/or reports.

Article 16. Standing Committees and Special Committees

16.1 Standing Committees

Local 891 shall maintain the following Standing Committees, as defined in the By-Laws:

- i. Good and Welfare Committee
- ii. Law and Legislative Committee
- iii. Audit Committee
- iv. Election Committee
- v. Women's Committee

16.2 Special Committees

- (a) The President may convene a special committee at any time.
- (b) The President may convene a special committee on the written request to the Executive Board of a minimum of 15 members in good standing. The written request must explain why a Special Committee is needed.
- (c) Special Committees shall operate from the time of appointment by the President.
- (d) Special Committees will cease to exist upon completion of their appointed task.

16.3 General

- (a) A member may not represent more than one department on any committee.
- (b) A member of the Executive Board may not represent any department on any committee.
- (c) The appointed Chair of each Committee may add other members to the Committee if required.
- (d) All standing and special committees shall be appointed by the President, with the exception of the Election Committee, who are appointed by the Executive Committee.