



CONSTITUTION AND BY-LAWS

SALT LAKE COUNTY FIREFIGHTERS

LOCAL 1696

INTERNATIONAL ASSOCIATION

OF FIREFIGHTERS

AFL-CIO

UPDATED JANUARY 2022

Table of Contents

CONSTITUTION AND BY-LAWS	0
ARTICLE 1 – Name and Purpose	3
Section 1 - Name	3
Section 2 - Purpose	3
Section 3 – International Association	3
ARTICLE 2 - Jurisdiction	4
Section 1 - Jurisdiction	4
ARTICLE 3 - Membership	5
Section 1 - Active	5
Section 2 – Separation	5
Section 3 - Honorary	5
Section 4 – Maintenance of Good Standing	5
Section 5 – Delinquent Members	5
Section 6 – Objections to Membership	6
ARTICLE 4 - Meetings	7
Section 1 – Regular Meetings	7
Section 2 – Special Meetings	7
Section 3 - Quorum	7
Section 4 – Rights of Members	7
Section 5 – Rules for Meetings	7
ARTICLE 5 – Officers and Elections	8
Section 1 – Elected Positions	8
Section 2 – Eligibility for Office	8
Section 3 – Removal from Office	8
Section 4 – Rights of Candidates	8
Section 5 – Use of Funds Prohibited in Elections	8
Section 6 – Method of Nomination and Election	8
Section 7 – Election Committee	9
Section 8 – Ballots Preserved	9
Section 9 – Vacancies in Office	9
ARTICLE 6 – Duties of Officers	10
Section 1 - President	10
Section 2 – Vice-President	10
Section 3 – Secretary-Treasurer	10
Section 4 - Communications Director	11
Section 5 – Trustees	11
Section 6 – The Executive Board	11
Section 7 – Political Liaison	12

Section 8 – Funds and Property	12
ARTICLE 7 – Delegates and Alternates to Conventions	13
Section 1 – Delegates to Conventions	13
Section 2 – Additional Delegates and Alternates	13
ARTICLE 8 – Initiation Fees, Dues, and Assessments	14
Section 1 – Initiation Fees	14
Section 2 - Dues	14
Section 3 - Assessments	14
Section 4 – Fee and Assessment Increases	14
Section 5 – Reinstatement Fees	14
Section 6 – Payment of Fees prior to Removal	14
ARTICLE 9 – Misconduct, Trials, and Appeals	15
Section 1 - Misconduct	15
Section 2 - Charges	16
Section 3 - Trials	16
Section 4 – Trial Board Conflict of Interest	17
Section 5 – Absence of Board Members	17
Section 6 – Rules for Trial	17
Section 7 – Decisions of the Trial Board	18
Section 8 – Decisions of the Trial Board	18
Section 9 – Notification of Decisions	18
Section 10 – Further Proceedings	18
Section 11 - Appeal	18
ARTICLE 10 - Audit	20
Section 1 - Audits	20
SECTION 2- Conducting Audits	20
SECTION 3- Audit Report	20
SECTION 4- Financial Records	20
ARTICLE 11 - Amendments	21
Section 1 – Amendments	21
Section 2 – Submission of Amendments	21
Section 3 – Approval of Amendments	21
Article 12 – Definitions	22

ARTICLE 1 – NAME AND PURPOSE

SECTION 1 - NAME

The name of the organization shall be Salt Lake County Fire Fighters, Local 1696 International Association of Fire Fighters, and shall be known hereafter in this document as Local 1696

SECTION 2 - PURPOSE

The objects and purposes of this local are to maintain, promote, extend, and protect the interests of the fire fighters of Local 1696. To establish and promote confidence and cooperation and to foster and perpetuate devoted sentiment among its members.

- To establish and maintain intimate and friendly social relations among its members.
- To stimulate and engage in any act or thing or enterprise which in the opinion of the board of executives shall appear to be for the benefit of the fire fighters generally in the fire departments of Salt Lake County, Utah.
- To employ all necessary means and agencies to carry out the forgoing powers.

SECTION 3 – INTERNATIONAL ASSOCIATION

This local union, its officers, representatives and members, shall recognize, observe and be bound by the provisions of the Constitution and By-Laws of the International and its interpretations rendered by the General President, the resolutions, decisions and directives of the General Executive Board or General Officers of the International when made in conformity with the authority granted by the Constitution and By-Laws of the International and the resolutions adopted and policies established by the delegates at conventions. Article 13 of the Constitution and By-Laws of the International is recognized as providing the basic rules governing this local.

ARTICLE 2 - JURISDICTION

SECTION 1 - JURISDICTION

Jurisdiction shall be as follows: All persons engaged in firefighting, fire prevention, retired former members, or employed full time by Unified Fire Authority, Salt Lake County Fire Department, or any other fire department within Salt Lake County who are paid full time employees including, but not limited to, the following classifications: Chiefs, Assistant Chiefs, Deputy Chiefs, Battalion Chiefs, Captains, Fire Fighters, Engineers, Paramedics, Truck Personnel, Hazardous Materials Technicians, Specialists, Inspectors, Investigators, Support Staff, Dispatchers, Mechanics, and their Assistants.

ARTICLE 3 - MEMBERSHIP

SECTION 1 – ACTIVE MEMBERS

Any person of good moral character, who at the time of making application is engaged in service within this jurisdiction of Local 1696, as given in Article 2, will be eligible for active membership. Anyone eligible for membership in this Local shall not be refused membership or, upon acceptance, be discriminated against because of race, color, creed, national origin, gender, sexual orientation, or by reason of disability.

SECTION 2 – ACTIVE-RETIREE MEMBERS

Members, who have retired from this union or have otherwise withdrawn as members in good standing, may be allowed to return to this local union within 10 years as active-retired members. Active Retired members shall have access to all the benefits and privileges of Active members and shall have ½ vote in elections and general membership meetings. Affiliation dues for such members are outlined in Article 8 Section 2.

SECTION 3 – HONORARY MEMBERS

For meritorious service to Local 1696 or for distinguished public service, persons may be elected honorary members by *majority* vote at a regular meeting of the general membership. Any member in good standing may nominate another individual for Honorary membership by submitting a written nomination addressed to the Executive Board describing the justification for membership. The Executive Board shall review the nomination, notify the general membership in writing of the nomination, and schedule the nomination for a vote at the next regular or special meeting of the General membership. Honorary members shall not pay initiation fees, dues or other charges and shall have no voice or vote in Local 1696. Such membership may be revoked for cause.

SECTION 4 – MAINTENANCE OF GOOD STANDING

Membership in good standing includes any person who has fulfilled the requirements for membership in Local 1696 and who has not voluntarily withdrawn, become ineligible for continued membership, or been suspended or expelled as provided in the Constitution and By-Laws of the International Association of Fire Fighters or the Constitution of Local 1696.

SECTION 5 – SEPARATION

When a member in good standing becomes separated from the fire service, Local 1696 may allow said member to retain their active membership or, in lieu thereof, upon request of said member shall issue a withdrawal card; provided, however, that a member who is duly elected as an officer of the International Association of Fire Fighters, or elected or appointed as a representative of or to an affiliated labor organization, shall

Article 3 - Membership

retain their active membership in Local 1696. Any retired or former member within the jurisdiction of Local 1696 under Article 2 Section 1 of these bylaws holding a valid withdrawal card may apply for membership and will not be charged a reinstatement fee under Article 8 Section 5 of the Local 1696 Bylaws upon reentry into this local.

SECTION 6 – DELINQUENT MEMBERS

Members who fail to pay their dues or assessments within the period prescribed by the International Constitution and By-Laws, or as required by this Constitution, shall be notified by the Local officer whose duty it is, that they are delinquent and will be suspended and lose their good standing if payment is not made within sixty days following such notification. Delinquent and suspended members are not entitled to a voice or vote in Local 1696 or in the affairs of the International.

SECTION 7 – OBJECTIONS TO MEMBERSHIP

In case there is an objection to any individual applying for membership in Local 1696, the member in good standing must voice their objection in a regular Local 1696 meeting. Also, the applicant or their selected representative will present their case. After which, the applicant will be voted upon. Approval or disapproval shall be decided by a majority vote of the members at said regular scheduled Local 1696 meeting.

ARTICLE 4 - MEETINGS

SECTION 1 – REGULAR MEETINGS

Regular meetings of Local 1696 will be held on the third Thursday of each month. Special meetings may also be called as needed by the Executive Board of Local 1696.

SECTION 2 – SPECIAL MEETINGS

Special meetings may be called by a vote of a majority of the Executive Board of Local 1696. All members in good standing shall be notified of such special meetings at least seven (7) days prior. The notice shall state the business to be considered at such meeting, and no business other than that stated shall be in order at such meetings.

SECTION 3 - QUORUM

The quorum for any meeting of Local 1696, either a regular or special, shall be seven (7) members (including the Executive Board) in good standing.

SECTION 4 – RIGHTS OF MEMBERS

Every member in good standing shall have the right to attend any meetings and to participate in such meetings in accordance with the recognized rules set forth in the manual for parliamentary procedure adopted by Local 1696. Members shall conduct themselves in such a manner as not to interfere with the legal or contractual obligations of the International or Local 1696.

SECTION 5 – RULES FOR MEETINGS

The rules contained in Robert's Rules of Order shall govern the meetings of Local 1696 in all cases not in conflict with this Constitution and the By-Laws of the International, or interpretations of these documents.

ARTICLE 5 – OFFICERS AND ELECTIONS

SECTION 1 – ELECTED POSITIONS

The Officers of Local 1696 shall consist of a President, Vice President, Secretary-Treasurer, Communications Director and five (5) members as Trustees together making up the nine (9) person Executive Board. Officers shall each hold their office for two (2) years, and until the election and installation of their successors unless removed from office as provided in the Constitution and By-Laws of the International or this Constitution and By-Laws. The same person may hold the offices of secretary and treasurer concurrently. The President, Secretary-Treasurer and two (2) Trustees shall be elected in even years and the Vice-President, Communications Director and three (3) Trustees elected in odd years.

SECTION 2 – ELIGIBILITY FOR OFFICE

Any member in good standing shall be eligible to be a candidate for elected office in Local 1696.

SECTION 3 – REMOVAL FROM OFFICE

Elected Officials will remain in office until: 1) That individual resigns his or her position or withdraws from Local 1696, 2) That individual is removed from office by a secret ballot majority vote of the membership for cause or misconduct as described in Article 9 of Local 1696 By-Laws, 3) A new officer is elected in accordance with this Constitution and By-Laws.

SECTION 4 – RIGHTS OF CANDIDATES

Every candidate for office shall have the right to request distribution of campaign literature, by mail or otherwise, to all members in good standing, at the candidates own personal expense. “A candidate for office” includes a candidate for membership to the Executive Board. There shall be no discrimination in favor or against any candidate with regard to the use of membership lists.

SECTION 5 – USE OF FUNDS PROHIBITED IN ELECTIONS

No funds received by Local 1696 through initiation fee, dues, or assessments or otherwise, shall be contributed or applied to promote the candidacy of any person in an election of officers of Local 1696. This section does not prevent the expenditure from Local funds for notices, factual statements of issues and other necessary expenses to conduct elections so long as they do not involve promotion of any candidate.

SECTION 6 – METHOD OF NOMINATION AND ELECTION

Each member in good standing shall be given at least fifteen (15) days advance notice, in writing, of the date, time and place at which nominations shall be made, and at least fifteen (15) days advance notice, in writing, sent by U. S. mail to the last known address of the member, of the date, time and place at which elections shall be held. Nominations will be made at the November General Meeting each year. Any eligible member in good standing may be nominated for any office for which a bona-fide election is occurring. A candidate's nomination will not be considered official unless one of the following has occurred: the candidate accepts the nomination in person at the November meeting or; the candidate has provided a written letter of acceptance stating which office they are accepting nomination to and the date of acceptance. This letter must be received by the Local President, Vice –President and the Chair of the election committee within seven (7) days of the original nomination. Only official nominations will appear on the ballot. In accordance with the International Constitution Article XIII Section 11, write in candidates for local union officers and trustees shall not be allowed.

Elections will be held at annual vacation draw. A polling location will be available for all ranks and all platoons at the location of the draw. An alternate polling location will also be established at the Local 1696 Union Hall during the period of the election. In the unforeseen event that vacation draw cannot be held in person. Voting will take place by mail. Election announcements and ballots will be sent in accordance with the process listed above. Elections will be held by secret ballot, even if only one candidate is nominated for a given office. There shall be no voting by proxy/telephone/e-mail/etc. in the election of Local 1696 Officers or Trustees. The election results shall be released as soon as possible following the voting. Newly elected Officers and Trustees will take office effective January 1st of the following year.

If only one candidate is running for each available at large trustee position, those individuals shall be elected by acclamation.

If more candidates are running for the available position than are open for election, the method of election shall be by a ranked vote using the Borda Count method. If the final ballot of any officer election results in a tie between the candidates, the winning candidate for office shall be selected by the drawing of lots in the presence of both candidates.

SECTION 7 – ELECTION COMMITTEE

The president shall appoint an Election Committee, which shall be responsible for creating, distributing, collecting and tabulating the ballots. Each candidate for office shall be entitled to appoint one observer who shall be permitted to witness the manner of distribution and casting of ballots and the candidate may attend the meeting of the Election Committee during which the votes are tabulated.

Article 5 – Officers and Elections

SECTION 8 – BALLOTS PRESERVED

The Secretary shall preserve the ballots and all other records of an election for two (2) years following each election.

SECTION 9 – VACANCIES IN OFFICE

When an office becomes vacant by reason of death, resignation, or removal of the incumbent, the Executive Board shall elect a successor by majority vote, no later than thirty (30) days from the date the office is vacated.

ARTICLE 6 – DUTIES OF OFFICERS

SECTION 1 - PRESIDENT

It shall be the duty of the President to preside at all meetings of Local 1696 and at the meetings of the Executive Board. The President shall be the executive head of Local 1696. The President shall be a member ex officio of all committees of Local 1696 and all UFA committees with a seat designated for the President of Local 1696. The President shall appoint such committees as may be provided for in this Constitution and By-Laws and such special committees and working groups as may be authorized by Local 1696. The President shall be responsible for coordinating and authorizing and formal representation provided at any stage of the disciplinary grievance process of the employer. Together with the Treasurer, the President or designee shall sign all checks in the amount of Two Thousand (\$2,000.00) dollars or more, lawfully and properly drawn. The President shall enforce the strict observance of the Constitution and By-Laws of the International as this document relates to Local 1696. The President shall have general supervision of the activities of the other officers and chairpersons of committees and working groups.

The President shall discharge on behalf of Local 1696 such duties as may be imposed upon the Office of President by applicable law including the execution and filing of any reports to the Federal and State authorities, and shall cause to be maintained by Local 1696 such records as the law requires to be kept in support of reports filed by it.

The President, by virtue of election, shall be a delegate of Local 1696 to the convention of the International.

SECTION 2 – VICE-PRESIDENT

The Vice President shall assist the President in a manner as the President shall determine. In absence of the President, the Vice President shall preside at meetings of Local 1696 and of the Executive Board. The Vice President shall assist the President in coordinating any formal representation provided at any stage of the disciplinary process of the employer. If the Office of President becomes vacant, the Vice President shall be the acting President until the Office of the President is filled by election of the Executive Board.

SECTION 3 – SECRETARY-TREASURER

The Secretary-Treasurer shall have custody of all documents, records, books, and papers belonging to Local 1696, except as may be otherwise provided by this Constitution and By-Laws. The Secretary-Treasurer shall attest all official documents with their signature and the seal of Local 1696. The Secretary-Treasurer shall maintain the official list of members in good standing, which shall be kept accurately and on a current basis.

The Secretary-Treasurer shall discharge on behalf of Local 1696 such duties as may be imposed upon their office by applicable Federal or State authorities and shall

Article 6 – Duties of Officers

cause to be maintained by Local 1696 such records as the law requires to be kept in support of reports filed by it.

The Secretary-Treasurer shall receive all monies due Local 1696, from whatever source, and shall disburse the same only by voucher signed by the President in conformity with the vote of Local 1696. Such disbursement shall be by check or electronic payment which shall also be signed by the President or designee when the amounts of Two Thousand (\$2,000.00) dollars or more. The Secretary-Treasurer shall maintain and keep current a record with their dues payment, assessments, and all financial transactions promptly and accurately entered. The Secretary-Treasurer shall be prepared to exhibit receipts and vouchers upon audit of their books. The Secretary-Treasurer shall forward the annual audit of Local 1696 in accordance with Article 10 of these bylaws to the General Secretary/Treasurer, over the seal of Local 1696, not later than April first (1st) of each year.

SECTION 4 – COMMUNICATIONS DIRECTOR

The Communications Director shall conduct the correspondence of Local 1696 promptly. The Communications Director shall keep an accurate record of meetings of Local 1696 and of the Executive Board.

The Communications Director will be responsible for developing, implementing and running the day to day operations of an internal communications program that allows the Local to freely communicate with its members across various platforms. The Communications Director will also serve as the chief media strategist for Local 1696.

The Communications Director will develop, implement and direct a strategic plan that calendars community outreach opportunities for one calendar year in advance.

The Communications Director will coordinate social media with various locals, the Professional Firefighters of Utah and the International Association of Firefighters.

SECTION 5 – TRUSTEES

There shall be 5 elected at-large Trustees whose responsibilities include but are not limited to supervising Station Stewards, chairing and serving on committees of Local 1696 and of UFA, managing programs and projects and other duties as assigned by the Executive Board.

SECTION 6 – THE EXECUTIVE BOARD

The Executive Board shall consist of the President, Vice President, Secretary-Treasurer, and Communications Director and five (5) members as Trustees who are elected at the annual meetings. It shall be the duty of the Executive Board to exercise general supervision and control of the invested funds and property of Local 1696. It shall have the authority to act in the name of Local 1696 during intervals between meetings. It shall have the authority to seek legal advice if the majority of the Executive Board deems it necessary and in the best interests of Local 1696. Such acts being subject to confirmation by the membership at the next regular meeting of Local 1696. It shall

Article 6 – Duties of Officers

provide for an annual audit of the Treasurers' books. It shall be responsible for filing any reports required by law. A majority of the board shall constitute a quorum.

SECTION 7 – POLITICAL LIAISON

A Political Liaison shall be elected by a secret ballot vote of the Executive Board to serve as Chair of the Local 1696 Political Relations Committee, and as an advisory adjunct to the Executive Board. The Political Liaison shall serve a term of 2 years. The Political Liaison shall not be compensated other than reimbursement for eligible mileage and expenses incurred in the performance of their office as approved by the Executive Board.

SECTION 8 – FUNDS AND PROPERTY

All officers and employees of Local 1696 who handle funds or property of Local 1696 shall be bonded in such amounts as may be required by the Board of Trustees and expense of the first \$5,000 of Bond shall be borne by the International. If additional bond is necessary, the Local shall pay the additional premium. The Local shall have sufficient bond to cover at least ten (10%) percent of its current liquid assets.

ARTICLE 7 – DELEGATES AND ALTERNATES TO CONVENTIONS

SECTION 1 – DELEGATES TO CONVENTIONS

In accordance with Article 4, Section 4 of the International Constitution and By-Laws, Local Executive Board members, having been elected to their position by secret ballot of the members in good standing, will attend Conventions as representatives of the Local.

SECTION 2 – ADDITIONAL DELEGATES AND ALTERNATES

Additional Delegates and Alternates to conventions shall be elected by secret ballot of Executive Board members at an Executive Board meeting. Any member in good standing may nominate another member in good standing, with priority given to those serving as Station Stewards, Committee Members, and those in leadership positions. The credentials of delegates and alternates must certify to this method of election.

ARTICLE 8 – INITIATION FEES, DUES, AND ASSESSMENTS

SECTION 1 – INITIATION FEES

Initiation fees shall be paid in the amount of Eleven (\$11.00) dollars.

SECTION 2 - DUES

Dues for Active membership shall be the equivalent of 1.37% of the monthly salary of an Entry Level Firefighter I (FF I) as listed on the pay scale of Unified Fire Authority.

Dues for Active Retired members shall be ½ the dues calculated for Active membership. Upon approval of the Executive Board, discounts may be offered for annual prepayment.

SECTION 3 - ASSESSMENTS

Assessments may be made only in the following manner: Each member in good standing shall be notified in writing at least Thirty (30) days in advance of the date on which a vote for an assessment is to occur. The proposed assessment shall become effective upon a majority vote of the members in good standing, by secret ballot, at a regular or special meeting.

SECTION 4 – FEE AND ASSESSMENT INCREASES

Increases in rates of initiation fees, reinstatement fees, dues or assessments shall require notice of such proposed increase to be given to the members in good standing at least Thirty (30) days in advance of the date on which the vote for such an increase is to occur. The proposed increase shall become effective upon a majority vote of the members present in good standing, by secret ballot, at a regular or special meeting.

SECTION 5 – REINSTATEMENT FEES

Reinstatement fees shall be Eleven (\$11.00) dollars.

SECTION 6 – PAYMENT OF FEES PRIOR TO REMOVAL

Any member who is removed from the membership list, because of delinquent dues and assessments, must pay all accrued dues and assessments prior to being eligible for reinstatement in Local 1696, International Association of Fire Fighters. This is in addition to the reinstatement fee.

ARTICLE 9 – MISCONDUCT, TRIALS, AND APPEALS

SECTION 1 - MISCONDUCT

Misconduct shall consist of the following:

- A. Refusal or failure without justifiable cause to comply with or abide by the provisions of the Constitution and By-Laws of The International, the valid decision of any officer or officers thereof, or the valid decisions of the International Executive Board or those of the International Convention, or the valid provisions of the Constitution and By-Laws, or of the State or Provincial or Joint Council Constitution and By-Laws.
- B. Committing any act of fraud, embezzlement, larceny, or misappropriation of any funds or property or other things of value belonging to Local 1696 or International, or refusing, failing, or neglecting to comply with the provisions of the International Constitution and By-laws requiring a full and accurate accounting of all funds, property, books, and records for the examination and audit.
- C. Libeling or slandering or causing to be libeled or slandering of any officer or member of the International or of Local 1696 or subordinate body thereof, except in the form of charges of misconduct properly filed against an officer or member as provided by the International Constitution and By-Laws.
- D. Failing, refusing, or neglecting to appear, without proper cause, as a prosecuting witness after filing charges against a member or officer of The International.
- E. For advocating or encouraging any labor or other such rival organization or acquiring membership in any such organization.
- F. . Maintaining membership in, or engaging in any subversive activity in support of any authoritarian, totalitarian, terrorist or other organization which advocates the overthrow of the democratic forms of government under which our members live.
- G. Acquiring membership by fraud, false representation or deceit.
- H. Filing of false charges against any officer, member of The International or of Local 1696 or other subordinate body of The International; provided, however, that it is understood that for the purposes of this provision false charges are not merely charges of which an officer or member is acquitted but rather charges that are filed recklessly or in bad faith without substance, foundation, or reasonable basis of support.
- I. Committing any physical assault upon any officer, member, representative or employee of The International or of any subordinate body thereof while such person is engaged in the performance of their duties for the International or subordinate unions.

Article 9 – Misconduct, Trials, and Appeals

- J. Engaging in conduct detrimental to the best interests of The International or its subordinate unions, which places or tends to place them in dispute with other labor organizations, employees, or to the public.
- K. Failure or refusal to abide by the rules of order or parliamentary procedure established for the conduct of meetings of The International, Local 1696, or other subordinate body of The International or at the International conventions.
- L. Conduct unbecoming a member of The International, provided, however, that utilization of this provision shall be valid only when charges are set forth in specific terms, specifying the act or acts or conduct alleged to be unbecoming a member.
- M. Refusal or failure without good reason to accept service of charges and stand trial on such charges.
- N. Working a secondary job part-time, paid on call, volunteer or otherwise as a firefighter, emergency medical services worker, public safety or law enforcement officer, or as a worker in a related service, whether in the public or private sector, where such job is within the work jurisdiction of any affiliate or which adversely impacts the interests of any affiliate or the International. Upon finding of guilt of working a secondary job in violation of this subsection, it is recommended that the penalty include disqualification from holding office in any affiliate and/ or expulsion from membership for the period that the misconduct persists. Charges filed for the misconduct described in this subsection shall be preferred by a member of the charged party's local and/ or a member of an adversely affected affiliate.

SECTION 2 - CHARGES

Any member in good standing may prefer charges of misconduct as defined in Section 1, against any officer or member of The International or of any of its subordinate unions.

All charges shall be preferred in the following way:

- A. Be in writing.
- B. Be signed by the party or parties preferring the same.
- C. Contain a statement of the facts out of which such charges originated and set forth the specific act or acts alleged to constitute misconduct, the dates, places, and persons involved.
- D. State the nature of the violation or violations alleged.
- E. Refer to the Articles and Sections of the International Constitution and By-Laws, the Constitution and By-Laws of Local 1696, the established policies, decisions, rules or regulations or other governing laws which it is alleged have been or are being violated.

SECTION 3 - TRIALS

Whenever charges are preferred against any officer or member of Local 1696 or an officer or individual member of a State or Provincial Association or Joint Council, the accused shall be tried within one hundred and twenty (120) days by a Trial Board of three (3) members to be selected and appointed by the President of the subordinate union with which the accused is affiliated. If the President is the accused, the Secretary of the subordinate union shall appoint the members of the Trial Board. The President shall submit the names of seven (7) members in good standing to the accused of which the accused may reject four (4). The remaining three (3) shall be appointed as the Trial Board.

SECTION 4 – TRIAL BOARD CONFLICT OF INTEREST

No name submitted for selection as a member of the Trial Board shall be of anyone directly or indirectly involved as a party, witness, or otherwise in the conduct giving rise to the charges, and in the event any of the members are so involved they shall be disqualified to sit as a member of the Trial Board, and the appointed officer shall submit three (3) additional names from which the accused shall select one (1) to sit as a substitute member.

SECTION 5 – ABSENCE OF BOARD MEMBERS

Absence of a Trial Board Member from a session. It shall be the duty of each member of the Trial Board to attend all sessions of the trial. In the event that a member is unavoidably absent from a session of the trial, it may proceed provided a majority of the Trial Board members are present. Thereafter, the absent member shall resign from the Trial Board and may not participate in any further proceedings or in the findings or in the decisions of the Trial Board.

SECTION 6 – RULES FOR TRIAL

Except as otherwise provided in this section, Trial Boards may establish their own rules for the conduct of the trial, which shall be in writing and a copy given to the accused and to the person preferring charges, in advance of the date set for the commencement of the trial. Additional rules of procedure may be determined by a Trial Board during the course of a trial if situations not covered by the rules adopted should occur.

Unless otherwise agreed by the accused, the trial shall be held at the city or town in which the accused is employed. It shall be held within one hundred and twenty (120) after receipt of the charges by the accused and not less than two (2) weeks after notification to the accused of the composition of the Trial Board and the date and place of the trial.

Each party to the case shall have the privilege of designating any person, including any person in good standing of The International, except a member involved in the proceedings, to act as their council in the trial proceedings.

Article 9 – Misconduct, Trials, and Appeals

For good cause shown, the accused or party preferring the charges may request a postponement of the date set for trial. Such a motion shall be addressed to the Chairperson of the Trial Board and shall be subject to approval or rejection within the discretion of the members of the Trial Board. Each Trial Board shall select a certified court reporter to take the official verbatim transcript of the trial proceedings. The Trial Board shall preserve all documents or other items offered as exhibits and a digital audio recording of the proceedings. A copy of the official minutes or transcript shall be furnished to each party without cost and a copy filed with the International Headquarters.

Should the accused fail to appear for the trial after due notice, or should appear but refuse to comply with the rules for the conduct of the trial prescribed in the International Constitution and By-Laws or formulated by the Trial Board, or should engage in conduct designed to obstruct their trial, then in that event the Trial Board shall proceed to conduct in their absence. The accused, the party preferring the charges, council for either party, or any witness or spectator who are guilty of misconduct before the Trial Board, at the discretion of the Chairperson of the Trial Board, shall be excluded thereafter from the trial proceedings and the trial shall continue in their absence.

After all the evidence has been presented and arguments made by all parties or their council, the Trial Board shall conclude the trial and, as soon as practicable, assemble for consideration of its decision.

SECTION 7 – DECISIONS OF THE TRIAL BOARD

The decisions of the Trial Board shall be by a majority vote of the members, shall be put into writing, and shall contain a statement of the pertinent facts involved, the violations charged, references to all relevant Articles and Sections of the International Constitution and By-Laws or other governing laws involved, a pronouncement of the guilt or innocence of the party charged and the penalty to be imposed in the event the verdict is one of guilty, which shall reprimand, fine, suspension from office, or suspension or expulsion from membership.

SECTION 8 – DECISIONS OF THE TRIAL BOARD

Decisions of the Local 1696 Trial Board shall be submitted by the Trial Board to the Secretary of Local 1696 and shall be read at the next general meeting. Decisions of the Trial Board shall be final and binding unless reversed or modified upon appeal as provided in Article eighteen (18), Sections 2,3,4,6,and 7 of the International Associations' Constitution and By-Laws.

SECTION 9 – NOTIFICATION OF DECISIONS

. Copies of the decisions of all trial boards shall be sent by certified mail with return receipt where available, and if not available, then by registered mail to the parties involved by the Secretary of the Local.

SECTION 10 – FURTHER PROCEEDINGS

Either party to a case may appeal the decision of any subordinate union Trial Board in accordance with Section 14.

SECTION 11 - APPEAL

1. Except in the case of automatic suspension of members for failure to pay dues, any order or decision of Local 1696 or of the officers thereof, or a legally constituted tribunal thereof, or any decision or order of a General Officer or Officers or of the Executive Board or any legally constituted tribunal of the International, shall be appealable.
2. Any member in good standing of Local 1696 or of the International, adversely affected by any order or decision as aforesaid, may take an appeal as provided in Article 18 of the International Constitution and By-Laws. Such appeal is first to the General President, then to the International Executive Board and finally to the International Convention.
3. **Compliance Pending Appeal** – No appeal shall be recognized or considered unless the party filing the appeal has accepted and complied with the requirements of any decision or order from which the appeal is taken; provided, however, if the General President or Local 1696 Executive Board concluded that compliance in a particular case would constitute a substantial bar to the exercise of the right of appeal, such compliance may be waived or modified by the General President with respects to appeals submitted it or to the International Conventions; and provide further, that in all disciplinary cases where fines in excess of fifty (\$50.00) dollars are imposed no more than fifty (\$50.00) dollars shall be required to be paid as a condition of any proper appeal from the decision under which such fine was imposed.
4. No officer or member of a subordinate union shall resort to any court of law or equity or other civil authority for the purpose of securing an opinion or decision in connection with any alleged grievances or wrong concerning a case arising within the International or any of its subordinate unions until such party shall have first exhausted all remedies by appeal or otherwise, as provided in the International Constitution, not inconsistent with applicable law for the settlement and disposition of such alleged rights, grievances or wrongs

ARTICLE 10 - AUDIT

SECTION 1 - AUDITS

The books and accounts of Local 1696 shall be audited annually, and shall include an accurate accounting of all employees within the Local Union's jurisdiction and such report of audit shall be forwarded to the General Secretary/Treasurer over the seal of the Local no later than the first (1st) day of April annually.

This audit will be made available annually to Local 1696 members in good standing at the first regularly scheduled meeting after the 1st of April.

SECTION 2- CONDUCTING AUDITS

Local 1696 Audits will be conducted by at least three (3) Trustees, The Treasurer, and one of the following: Local 1696 President, Vice President, or Secretary. Additionally, any member in good standing may be present and participate in annual audits.

SECTION 3- AUDIT REPORT

Any member in good standing may request a copy of the audit reports in writing at any regularly scheduled meeting of Local 1696. Audit reports shall be maintained by the Trustees of Local 1696. When requested, the secretary or trustees will provide a copy of the most recent audit within 30 (thirty) days of receiving the request.

SECTION 4- FINANCIAL RECORDS

Any member in good standing may request in writing to see financial reports at any time. The treasurer will provide copies of statements, balance sheets, or whatever other documents are needed to satisfy the request to ensure the financial records are in accordance with all bylaws from both the International and Local 1696 within 30 (thirty) days of receiving the request.

ARTICLE 11 - AMENDMENTS

SECTION 1 – AMENDMENTS

This Constitution and By-Laws made under its provisions, may be amended by a 2/3 majority vote, of all members in good standing by secret ballot. Amendments may be made specifically to individual sections or to the document as a whole. Proposed amendments must be submitted in writing and must include the following:

- Date of submission
- Highlighted proposed changes including omissions and additions to current article in question
- A fiscal note, i.e.- if the changes will cause a change to monthly dues or incur any other fees or charges to be paid by the local
- Name of person(s) submitting changes.

SECTION 2 – SUBMISSION OF AMENDMENTS

Amendments must be submitted to the Local 1696 standing Bylaw Committee, The Bylaw Committee will review such changes and make a recommendation to the E*Board indicating whether the Bylaw Committee is in favor of or opposed to the recommended changes. The E*Board will then consider the bylaw amendment, attach a fiscal note, and make a recommendation for or against the amendment.

Amendments will be debated at a regularly scheduled meeting to present arguments in favor and against the amendment. Notice shall be posted by the Secretary no later than 15 (fifteen) days in advance of the meeting. The bylaw will then be presented to the entire membership for a secret ballot vote, as described in Article 11, section 3.

Non substantive and grammatical corrections or deletions to this Constitution and By-Laws shall not be considered amendments and shall not be subject to the provisions of this section.

A proposed amendment to this Constitution, or any By-Laws made under its' provisions, shall be submitted for approval to the General President prior to printing, issuance, or effectiveness, and after first being adopted by the membership.

SECTION 3 – APPROVAL OF AMENDMENTS

Proposed amendments to this Constitution and By-Laws may be made to the document as a whole or specifically to individual articles. Any amendments or changes made specifically to individual articles must pass the same voting requirements described in Article 11, Section 1 of this document. Prior to issuing a vote, the presiding officer shall clearly enunciate the scope of changes that are to be made to the document. Each Article will have a date printed as a footnote detailing the date of acceptance.

ARTICLE 12 – DEFINITIONS

International – International Association of Firefighters (IAFF)

Updated January 2019