

# Manual of Policy

*International Federation of  
Professional and Technical  
Engineers  
AFL-CIO, CLC, UNI, and IMF*



**REVISED 2003**

# Manual of Policy International Federation of Professional and Technical Engineers AFL-CIO & CLC

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Revised 2003

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# MANUAL OF CURRENT IFPTE POLICIES

## NOTE

Listed herein are current IFPTE Policies resulting from previous Conventions and Executive Council Meetings, excluding Constitutional Amendments. The intent of this Manual is to provide the Federation and its Local Unions with those policies necessary to execute the mission of our Organization.

## STATEMENT OF PURPOSE

The International Federation of Professional and Technical Engineers is a union whose purpose is to embrace the needs of professional, technical, administrative, clerical and allied employees.

We seek to be innovative in our approach to the challenges and opportunities presented by the changes in technology and the organization of work.

IFPTE strives to represent the concerns of our membership in a fair and equitable manner and to grow in size and strength. We seek to build ties with employees and organizations nationally and internationally to accomplish our goals.

IFPTE endeavors to be active in our communities as a force for social justice and to enhance the quality of life.

*Strategic Planning Session:  
Executive Council - November 1994*

## Function of the Federation

As a result of the Strategic Planning done by the Executive Council, it was determined that the principal functions of the Federation are to:

1. Grow the IFPTE as a representative of professional, scientific, engineering, technical and allied workers. (Size/Leverage)
2. Build the capacity of the locals to provide effective representation. (Effectiveness)
3. Enhance the stature and presence of the IFPTE as an advocate inside and outside the organization where it represents workers. (Influence)

*Strategic Planning Session:  
Executive Council - May 1995  
Executive Council-May 2001*

## **GOALS SUPPORTED BY THE EXECUTIVE COUNCIL**

- Service locals in the most effective way
- Increase membership
- Combat the increase in privatization, downsizing and reduction of jobs
- Improve the skills and abilities of local union leaders
- Fight the reduction of health care benefits for all employees
- Promote and encourage a national health care program
- Enhance the unions communications capabilities
- Develop a legislative action plan at all levels (federal, state and local) to promote goals listed above and to promote labor's candidates.

There is no ranking of the goals.

*Strategic Planning Session:  
Executive Council - November 1994*

## **CONVENTION PROCEDURES**

The proceedings of the Convention will be available for review at the Federation's Headquarters office. This change in procedure will make it possible to expedite the availability of reports on convention actions to the locals and delegates and will result in a substantial cost savings to the Federation.

*Executive Council - November 1975*

The Parliamentarian appointed by the Convention Chair **MUST** be a delegate to the Convention and a member of the Rules and Credentials Committee.

*43<sup>rd</sup> Convention - 1978*

The Finance Committee shall be a committee at all future IFPTE Conventions and shall be appointed at the earliest possible date prior to the Convention. It shall consist of an equal number of delegates from each of the three-(3) sectors and if possible, shall consist of individuals who have previously served on the Committee.

*44<sup>th</sup> Convention - 1980*

The Council adopted a motion providing that the Convention Finance Committee be chaired by a Vice President in the same manner as other Convention Committees. The makeup of the Committee will be limited to six delegates - two each from the private, public and federal sectors.

*Executive Council - December 1987*

Prior to the start of the Convention, the Chair of the Finance Committee will be supplied with the

contracts of all Federation employees, consultants, and financial assistance agreements to review.  
*45<sup>th</sup> Convention - 1982*

The Finance Committee reserves the right to go into executive session at any time and will meet with Executive Council Officers on a timely basis.

*46<sup>th</sup> Convention - 1984*

## **EXECUTIVE COUNCIL MEETING PROCEDURES**

The President is authorized to set specific time limitations for persons appearing before the Executive Council.

*Executive Council - August 1974*

The Council voted to allow open observation of the Councils meetings. The following rules were adopted:

Members must obtain prior written approval from their local, which must be forwarded within a reasonable time to the Federation's President.

Members are obligated to pay all of their own expenses.

Members will have the right to address the Council only upon approval of the majority of Council Members.

The Council, by majority vote, may enter executive session at any time, for any reason.

*Executive Council - April 1979*

The Council adopted a motion that would disallow appearances before the Council of representatives from local unions whose per capita is three (3) or more months in arrears.

*Executive Council - May 1987*

### **AFL-CIO State Labor Bodies**

Each IFPTE Vice President will encourage local unions in his/her respective area to affiliate with their AFL-CIO State Labor Organization.

*Executive Council - December 1985*

*Executive Council - November 1995*

## **ADMINISTRATION**

The Council ruled that the IFPTE Constitution confers no authority on the Federation President to interpret local union bylaws wherein there is no conflict between those bylaws and the Federation Constitution, and where there is no question of interpretation of the Federation's own Constitution.

*Executive Council - December 1983*

### AFL-CIO Convention Assignments

With the President and Secretary-Treasurer, Vice Presidents in the geographical area of the AFL-CIO Convention are to be assigned as delegates to that Convention.

*Executive Council - May 1995*

### Sexual Harassment

The Executive Council of the International Federation of Professional and Technical Engineers will not condone sexual harassment by or against the Executive Officers, Executive Council members, or employees of the Federation.

The International Federation of Professional and Technical Engineers will maintain a policy of supporting sexual harassment victims and will endeavor to educate its members of actions, which constitute sexual harassment, and the consequences of such sexual harassment.

*Executive Council - May 1993*

### Development of Action Plans for Convention Resolutions

The IFPTE Executive Council, at the Post Convention Meeting, will develop a specific plan of action to accomplish the direction adopted by the Convention to satisfy those resolutions.

The plans of action will be monitored by the Executive Council at subsequent meetings to ensure compliance.

Actions taken will be reported to subsequent conventions for their review.

*51st Convention - 1994*

## **FEDERATION FINANCES**

### Salary and Benefits for Executive Officers

Any past reference, resolutions, or actions of the Executive Council that ties the benefits of the Executive Officers to either staff contracts will be considered null and void. From this day forward, all benefits for the Executive Officers will be established only by Executive Council action.

Newly elected Executive Officer(s) may be granted up to \$5,000 financial assistance to help defray personal expenses in assuming their Positions, the exact amount to be determined by the Executive Council.

(The Council noted that Executive Officer participation in Health, Life, and Travel Insurance and the Pension Plan are necessary in order to have sufficient minimum persons to qualify. Without the necessary minimum numbers, the costs of these-plans would be significantly higher.)

*Executive Council - May 1989*

All locals who are two or more months in arrears in their monthly per capita tax payments shall incur a late fee in accordance with Section 13.7(e) of the IFPTE Constitution. The Secretary-Treasurer shall have the authority to waive the application of late fees upon prior written request by the affected Local Union providing an acceptable reason and/or evidence of justification for the waiver. Justifications shall include, but not be limited to, change of elected Local Officers, delayed check-off from the employer, or dire financial difficulties.

*Executive Council-May 2001*

## **SCHOLARSHIPS**

The IFPTE has established a scholarship program for students who have demonstrated skills through academic achievement and service to their school and community. IFPTE will be awarding three college scholarships, one to each sector, i.e., federal, private and public, in the amount of \$1,500 each, to children or grandchildren of IFPTE members. The following requirements for applicants to the IFPTE Annual Scholarship were adopted:

1. The length of the essay is to be a minimum of 500 words.
2. A bibliography of the resource materials will be required with the essay.
3. The student must be in his/her last year of high school.
4. One student from each of the three sectors will receive an award.
5. The judges may deem no winner in one or more sector(s).

*Executive Council - November 1995*

## **AWARDS**

The IFPTE has established the Len Cornwell Leadership Award for outstanding IFPTE labor leaders whose achievements best symbolize the same leadership abilities demonstrated by Len during his

years of dedicated service to the labor movement. Presentation of the Len Cornwall Leadership Award will take place during the IFPTE Convention.

Nominees must meet the following criteria to be eligible for the Len Cornwall Leadership Award:

1. The nominee must be nominated, in writing, by a member in good standing of IFPTE.
1. The nominee must be or have been a member of the IFPTE for at least ten years and a union leader for at least five years.
2. While a member of IFPTE, the nominee must have displayed the dedication and perseverance as a union leader, which sets the nominee apart as a leader among his/her fellow members.

The Award is reserved for rank-and-file leaders. IFPTE Executive Officers, members of the Executive Council and IFPTE staff are ineligible.

*Executive Council – April 1997  
Executive Council – November 1998*

### **LEADERSHIP EDUCATION**

It was noted that several councils have held mini-seminars as an adjunct to their meetings, covering topics of vital concern to their delegates. The Council voted to provide a maximum of \$500.00 per year to councils that conduct such seminars. However, prior review and approval of the Federation President must be obtained. The cost will cover renting films, projectors, and stipends for speakers.

*Executive Council - April 1979*

### **ORGANIZING**

The International Federation of Professional and Technical Engineers will aggressively pursue its organizing efforts by the following:

1. Each local union establishing a permanent organizing committee;
2. The IFPTE Education Committee, in conjunction with the Director of Organizing, will develop programs, including workshops, to facilitate training of Local organizing committees;
3. Each Local union will establish specific goals and programs for achieving growth; and
4. The Director of Organizing and his/her staff will implement organizing campaigns in conjunction with Local union organizing committees.

*40<sup>th</sup> Convention - 1972*



## **AFFILIATIONS**

It is in the best interest of IFPTE to affiliate unaffiliated organizations.

Such affiliations should be for the mutual advantage of both the International Union and the affiliated group.

It may be in the best interest of IFPTE to provide a reduced fee to such groups for a limited period of time to effectuate the affiliation.

Therefore, the President and Secretary-Treasurer are authorized to affiliate unaffiliated organizations and to proffer inducements to affiliate, provided that such inducements do not result in a net loss in actual dollars to the International Union.

The President and the Secretary-Treasurer are directed to secure approval of the Executive Council before presenting an economic affiliation proposal.

*47<sup>th</sup> Convention -1986*

Newly affiliated Locals come under the President's jurisdiction for servicing immediately after signing of the affiliation agreement, if they already have existing contracts with their employers. Newly affiliated Locals who do not have contracts with their employer at the time of affiliation will remain under the Secretary-Treasurer's jurisdiction for servicing until the first contract is signed, then servicing jurisdiction would shift to the President.

*Executive Council - November 1989*

## **POLITICAL ACTION**

The IFPTE adopts and launches the Legislative Education and Action Program (LEAP) initiated by the Federations' Executive Council.

The IFPTE and its affiliated local unions will cooperate with the AFL-CIO's Committee on Political Education (COPE) to secure the passage of laws favorable to organized labor and the defeat or amendment of laws, which are unfavorable to organized labor.

The Federation hereby establishes a Legislative Education and Action Program-Political Action Committee (LEAP-PAC), a voluntary, nonprofit political action program to operate exclusively for the purpose of supporting and bringing about by lawful means, the nomination and election of candidates for federal, state, and local office who will protect and promote the interests and welfare of organized and unorganized workers and the public generally. LEAP-PAC is established and will conduct itself in accordance with the provisions of the Federal Election Campaign Act of 1971, as it has been and may be amended from time to time.

LEAP-PAC will function under its respective constitution as adopted and amended from time-to-time by the Executive Council, which shall serve as the Executive Board of this committee.

*42<sup>nd</sup> Convention - 1976*

The Executive Council encourages all local unions to place the subject of LEAP-PAC on their union meeting agendas.

*Executive Council - November 1977*

IFPTE urges all locals to appoint or elect a Political Action Representative who will deal with legislation on a local, state, and federal level and to maintain and/or move ahead with legislation that is beneficial to all members of IFPTE. The Federation will assist and inform the local Political Action Representative on necessary legislation favorable to the Federation.

*44<sup>th</sup> Convention - 1980*

The Convention mandates all Local unions to establish a political action and education committee. The main function of these local PAC's will be to provide constituent lobbying pressure on members of Congress and on state and local legislators. The responsibilities of the Locals' PAC's are:

To mobilize grass roots political action when issues arise affecting IFPTE members;

To keep informed about legislation affecting IFPTE members;

To maintain ongoing contacts with members of Congress and state and local legislators and know their voting records;

To report on legislation at local union meetings;

To recruit other community groups in support of union-endorsed legislation; and

To encourage members to contribute to the International's LEAP-PAC.

*45<sup>th</sup> Convention - 1982*

The 53<sup>rd</sup> Convention, through its participation and support of the sale of convention commemorative pins and the establishment of the President's Club, began the process of financially increasing our political involvement.

In addition to having a fully mobilized and politically active membership, the IFPTE will work towards the goal of the establishment of an annual legislative conference to address those issues of importance to our members as well as those of working families in general.

*53<sup>rd</sup> Convention - 2000*

## **LEGISLATION-GENERAL**

*NOTE: See the Manual of Guiding Principles for details of specific legislative issues brought before conventions for action.*

## **AFFIRMATIVE ACTION**

The Federation shall make every effort in the way of education and training to promote the fundamental American notion of equality under the law.

The Federation shall make every effort in the way of legal action and lobbying against all legislative bills which intent is to erode or abolish existing Affirmative Action legislation.

*52<sup>nd</sup> Convention - 1997  
53<sup>rd</sup> Convention - 2000*

IFPTE intends to continue the policy of attacking discrimination, including vestiges of past discrimination, and continue the policy of the International to provide leadership, resources, and guidance in the implementation of this policy as follows:

1. Establish machinery for gathering and evaluating information on employment practices in all bargaining units on a continuing basis.
2. Require all locals to attempt to negotiate contract provisions barring discrimination in employment and making equal employment opportunity complaints grievable through arbitration.
3. Include instruction on Title VII and other related laws, rules, and regulations.
4. Advise and propose that all employee selection procedures and tests conform to Title VII and other laws, rules, and regulations including those unilaterally applied by employers as well as those within collective bargaining agreements and joint apprenticeship standards.
5. As an employer in our own right, apply these initiatives to our own operations just as forcefully as we do with the employers with which we bargain.

*42<sup>nd</sup> Convention - 1976*

## **WOMEN'S COMMITTEE**

To enlist more union involvement and participation of women at the local levels, IFPTE recommends the following:

- Establish a Women's Committee within IFPTE

- Provide resource materials and information to Local unions
- Develop women leaders and activists within IFPTE

In addition to these stated recommendations, the following items were also included:

- Create a column in The OUTLOOK highlighting some of the accomplishments of women members. The column would include contributions from IFPTE women members.
- Encourage young women and girls to pursue educational development that would lead to careers in professional occupations.
- Encourage local women members to participate in regional CLUW meetings and conferences.

*Executive Council - May 1998*

In an effort to continue the work initiated at the 52<sup>nd</sup> Convention and affirmed by the Executive Council above, the Federation will pursue the following goals:

- The Federation continues to promote and encourage members to obtain membership in the CLUW and urge Locals to participate in the regional training sessions when held near their Locals.
- IFPTE shall survey Locals to determine the demographics of their membership and Local leadership and disseminate the results of the survey back to the Locals.
- IFPTE encourages all Locals to establish a Women's Committee and designate a person as the point of contact to interface with the Federation to disseminate information to the Locals.
- The Federation develop an Action Plan for IFPTE women as a resource guide for Local Union Women's Committees to utilize in the development of leaders.
- IFPTE provides the necessary funding to ensure that the Federation is represented on the CLUW National Executive Board.
- IFPTE provides the necessary funding to ensure implementation of the action plan, which will include training.
- Executive Council and Leaders of the Women's Committee study the results of the survey and action plan and shall explore the options to achieve greater gender balance on the Executive Council.
- Executive Council and Women's Committee shall report on its findings at the 54<sup>th</sup> Convention.

*53<sup>rd</sup> Convention - 2000*

**ADDENDUM A**

**INTERNATIONAL FEDERATION OF PROFESSIONAL  
AND TECHNICAL ENGINEERS, AFL-CIO&CLC  
EMERGENCY ASSISTANCE FUND  
RULES & REGULATIONS**

Pursuant to Substitute Resolution No. 33 as adopted by the 39th Convention of the International Federation of Professional and Technical Engineers, AFL-CIO/CLC, the rules and regulations for the administration of the IFPTE Emergency Assistance Fund were adopted by the IFPTE Executive Council.

## **Article I - Maintenance of Fund**

**Section 1.** The Emergency Assistance Fund, hereinafter referred to as the Fund, was established in accordance with the Substitute Resolution No. 33. Monies of said Fund shall be maintained in accounts, investments, and records separate and apart from all other funds, assets and records of the Federation.

It is understood that the Secretary-Treasurer of the Federation, as Fund Administrator, shall adhere to the investment principles as required by the AFL-CIO Ethical Practices Code.

The Federation's President is authorized to recommend to the Secretary-Treasurer the amounts and duration of benefits to be paid as set forth in these Rules and Regulations. All monies disbursed from the Fund shall be limited to payment of benefits as prescribed by these Rules and Regulations. The administrative expenses for the Fund shall be assumed by the Federation's General Fund.

## **Article II - Eligibility for Benefits-All Locals**

**Section 1.** Any IFPTE Local from any of the three sectors, Federal, Private or Public, may apply for benefits under any of the below listed provisions.

- (a) A matter considered for arbitration, and/or fact-finding and of such a nature that the contemplated arbitrator's, or panel's, award could deem to directly or indirectly effect a substantial improvement in economic benefits and/or employment conditions of a large portion of the Local's/International's members.
- (b) A matter considered for arbitration, and/or fact-finding, normally shall be on behalf of the local, and not on behalf of an individual member. Exceptions, however, may be made, provided the matter considered meets with the qualifications as set forth in Article II, Section 1(a).
- (c) Locals, seeking to preserve existing bargaining units, where the situation is of sufficient merit and where the necessary action is clearly beyond the capability of the local, shall be considered eligible for benefits from the Fund.
- (d) Locals compelled by circumstances to participate in court or other legal proceedings to defend its lawful actions and where the necessary action is clearly beyond the capability of the local, shall be considered for benefits from the Fund.

**Article III - Eligibility for Benefits-IFPTE Bargaining Units Under The Jurisdiction of The National Labor Relations Act or Canadian Labour Relations Acts**

**Section 1.**

- (a) An IFPTE local having bargaining unit(s) under the above jurisdiction, of which said bargaining units(s) are on strike, shall be eligible to receive benefits from the Fund, beginning on the fifteenth calendar day following commencement of the strike(s), provided the local is in full compliance with the Federation ' s Constitution.
- (b) An IFPTE local which is legally observing a picket line of another union, and is in full compliance with the Federation ' s Constitution, and also wherein the local union ' s contract may be interpreted to permit such action, said local shall be eligible to receive benefits from the Fund, beginning on the fifteenth calendar day following the commencement of such observance.
- (c) Application for benefits must be received by the Federation within twenty-five calendar days following the commencement of the strike.

**Article IV - Eligibility For Benefits-IFPTE Federal Bargaining Units Under Jurisdiction of Civil Service Reform Act**

**Section 1.** An IFPTE Federal local having bargaining unit(s) under the above jurisdiction, and which said local is in full compliance with the Federation ' s Constitution, shall be eligible to receive benefits in accordance with the following:

- (a) Negotiable matters of IFPTE Federal locals that have reached an impasse on a local level and have been accepted for appeal by the Federal Impasses Panel, shall be eligible for benefits provided they comply and meet with provisions of Article II, Section 1.(a).

**Article V - Eligibility For Benefits-IFPTE Bargaining Unit(s) In Public, State, County and Municipal Agencies or Departments**

**Section 1.** An IFPTE public local having bargaining unit(s) under any of the above jurisdictions, and which said local is in full compliance with the Federation ' s Constitution, shall be eligible to receive benefits in accordance with the following:

- (a) A public local of which a given bargaining unit(s) is on strike, shall be eligible to receive

benefits from the Fund beginning on the fifteenth calendar day following the commencement of the strike.

- (b) A public local which is legally observing a picket line of another union, and also wherein the local union's contract may be interpreted to permit such action, said local shall be eligible to receive benefits from the Fund, beginning on the fifteenth calendar day following the commencement of such observance.
- (c) Application for benefits must be received by the Federation within twenty-five days following the commencement of the strike.

## **Article VI - Application for Benefits**

In all matters considered for benefits, the President of the local union making application, or his designee, shall apply for benefits only on a form as provided by the IFPTE Federation.

In applying for assistance, local(s) must apply in writing to the Federation's Secretary-Treasurer on the prescribed form. The Federation's President will in turn investigate the merits of the request, review the request with the Federation's Secretary-Treasurer and appropriate Vice President(s), and will recommend the amount to be expended. In determining the merits of the request and the amount of assistance to be granted, in any, the President's analysis shall include, but not be limited to, an examination of the local's dues structure and an assessment of the locals actions to manage its own financial affairs.

## **Article VII - Income of the Fund**

The income of the Fund shall be derived from three percent (3%) of the monthly per capita tax paid to the Federation, and from any accrued dividends or interest earned from investments of the Fund.

## **Article VIII - Portion of Funds Available for Benefits**

**Section 1.** That portion of the funds that shall be available for benefits within a prescribed period as defined herein shall be derived from, but shall not exceed, 75% of the income received during the previous prescribed period.

**Section 2.** The prescribed period shall be defined as three months beginning January 1, 1971, and every quarterly period thereafter.

At the conclusion of each period, the Federation's Secretary-Treasurer shall make a determination of the funds available for benefit payments.

**Section 3.** It is to be noted that the income to the Fund during any given prescribed period will not be sufficient to sustain the principal amount if all the allowable funds are expended during each



prescribed period. Accordingly, the Secretary-Treasurer shall only under extenuating circumstances, expend the total allowable funds during any given prescribed period.

**Section 4.** The quarterly period for determining the portion of funds available to the locals shall be that prescribed period immediately preceding the period in which the application has been received and dated by the Federation office.

Only striking locals that continue their strikes into subsequent quarterly periods will be eligible for benefits in the subsequent prescribed periods. Said locals need not reapply for benefits. Applications for each matter considered for benefit, other than for strike, shall be submitted one time only. (With exception as noted in Article X, Section 2).

### **Article IX - Amount To Be Allocated**

**Section 1.** The Federation's President shall recommend the amount of payments to be allocated in accordance with the following:

- (a) At the conclusion of the quarterly period the Secretary-Treasurer shall determine what portion of the funds should be available for benefits per Article II, depending upon the income to the Fund and the amount necessary for reserves.
- (b) In all matters other than strike, the amount payable shall be a portion of the local union's actual costs and normally shall not exceed one-half of the local union's actual costs.
- (c) In matters of strikes, when more than one local is on strike, the amount shall be determined in accordance with the following formula.

**Example:** \$7,500.00 available for prescribed period.

Local (X) –

50 striking members x (30 calendar days on strike - 15 calendar days) = 750 calendar days lost

Local (Y) –

25 striking members x (35 calendar days on strike - 15 calendar days) = 500 calendar days lost

750  
500

1,250 days lost

\$7,500.00 Available/1,250 Days Lost = \$6.00 Per Person

Local (X) therefore will receive \$6.00 x 750 = \$4,500.00

Local (Y) therefore will receive \$6.00 x 500 = \$3,000.00

- (d) The amount of funds available will not be sufficient in most instances to pay individual strike benefits to each member. Each local shall decide in what manner the benefits will be disbursed.

## **Article X - Exceptional Consideration by the Executive Council**

**Section 1.** In those rare instances wherein the Executive Council determines that a critical situation exists in a local union, the Council by a 2/3 vote may authorize the Secretary-Treasurer to expend monies from the Emergency Assistance Fund in excess of that allowed in the provisions of Article VIII, Section 1. (b) of these Rules and Regulations (i.e., greater than one-half of the locals actual costs).

**Section 2.** Allocation from the Fund to any local shall normally be limited to one grant of a specific amount per issue. However, it is recognized that circumstances may develop where the initially approved amount is not sufficient based on later developments. In those rare circumstances wherein the Executive Council determines that later developments justify an increase in the amount approved, the Council by 2/3 vote may authorize the Secretary-Treasurer to expend additional monies from the Emergency Assistance Fund for that issue.

**Section 3.** In all of the general conditions controlling eligibility for benefits in Articles II, III, and IV, the area of consideration is locals or bargaining units of locals. However, there may be times when expenditures of funds on behalf of Councils or the entire Federation may be necessary. In those rare instances wherein the Executive Council determines that a critical situation exists other than in a local union, the Council by 2/3 vote may authorize the Secretary-Treasurer to expend monies from the Emergency Assistance Fund for those needs.

**Section 4.** In instances wherein an AFL-CIO affiliated union is confronted with a critical situation such as a strike or lock-out, the Executive Council by a 2/3 vote may authorize the Secretary-Treasurer to expend monies from the Fund to support the affected union. Under no circumstances shall the amount of money contributed exceed a one-time contribution of \$5,000.00.

## **Article XI - Appeals to the Executive Council**

Local unions, whose applications have not been approved for benefits, may appeal the decision to the IFPTE Executive Council. Said appeal must be made in writing within five days after receipt of notification that their application for assistance has been denied.

The appeal should be forwarded to the Federation office explaining in detail the reason why the appeal should be reviewed. The appeal shall then be immediately forwarded by the Federation to the Executive Council for their determination.

The amount of benefits payable to a local union shall not be appealable.

## **Article XII - Maximum Expenditures**

The Secretary-Treasurer shall not expend more than \$2,500.00 per assistance appeal without prior approval of the Executive Council. Polling of the Council may be done in writing or by telephone.

*These rules and regulations may be amended from time to time with the result that benefits under the Emergency Assistance Fund may thereafter be changed.*

*Revised November 1998  
By Executive Council*

# APPLICATION FOR EMERGENCY ASSISTANCE FUND BENEFITS

*Revised November 1998*

LOCAL UNION NO. \_\_\_\_\_

NAME OF EMPLOYER \_\_\_\_\_

ADDRESS \_\_\_\_\_

ADDRESS \_\_\_\_\_

Give a full description of problem/issue for which Emergency Financial Assistance is requested:

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(Use additional pages as necessary.)

Specifically state those portions of the EAF rules under which the local may qualify for assistance:

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State the total expenses that the local expects to incur related to this problem/issue. Give a breakdown of the major categories of expense that add up to this total figure (e.g. \$\$ for attorney, \$\$ for arbitrator, etc.)

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State the total amount of money the Local is requesting. Give a breakdown of how the money will be spent. \_\_\_\_\_

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Does the Local expect it will engage legal counsel? \_\_\_\_\_

What is counsel's retainer, hourly or contingency fee? \_\_\_\_\_

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If an Arbitrator or Fact Finder is to be engaged, what is his/her fee and what portion of his/her fee must the local pay?

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Estimate the number of lost-time hours of members participating in the problem/issue that will not be reimbursed by the

Employer:

Hours \_\_\_\_\_ Average Rate of Pay \_\_\_\_\_

The IFPTE Constitution requires that all locals are to be economically self-sustaining. Give information addressing why this problem/issue is beyond the financial capability of the Local.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Give average monthly membership for the last four-(4) years:

19\_\_\_\_ \_\_\_\_\_ 19\_\_\_\_ \_\_\_\_\_ 19\_\_\_\_ \_\_\_\_\_ 19\_\_\_\_ \_\_\_\_\_

Give average monthly dues for the last four-(4) years:

19\_\_\_\_ \_\_\_\_\_ 19\_\_\_\_ \_\_\_\_\_ 19\_\_\_\_ \_\_\_\_\_ 19\_\_\_\_ \_\_\_\_\_

If there is further information supporting your request for assistance, which will aid in the determination of the granting of this request, please attach the information with your request.

LOCAL PRESIDENT:

SIGNED: \_\_\_\_\_ DATE \_\_\_\_\_

MAIL TO: SECRETARY-TREASURER, IFPTE  
8630 Fenton Street, Suite 400  
Silver Spring, MD 20910

PLEASE NOTE: THIS FORM MUST BE ACCOMPANIED BY SUBSTANTIATING RECORDS, INCLUDING AT LEAST THE LAST TWO CERTIFIED ANNUAL AUDITS. IF THE LOCAL DOES NOT PROVIDE THE TWO MOST RECENT CERTIFIED ANNUAL AUDITS, THEN THEY WILL BE REQUIRED TO OPEN THEIR BOOKS TO THE INTERNATIONAL PRIOR TO THE GRANTING OF ASSISTANCE. U.S. OR CANADIAN LABOR-MANAGEMENT REPORT, BUDGETS, AND ANY OTHER RECORDS THAT WILL HELP SUPPORT THE APPLICATION WILL ENHANCE THE APPROVAL PROCESS. (A COPY OF THIS REQUEST AND ANY SUPPORTING DOCUMENTATION SHOULD BE SENT TO YOUR AREA VICE PRESIDENT. THE VICE PRESIDENT WILL BE CONSULTED PRIOR TO APPROVAL AND THEIR RECOMMENDATIONS WILL MATERIALLY AFFECT APPROVAL).

## **ADDENDUM B**

### **GUIDELINES FOR EXECUTIVE OFFICERS IN LABOR DISPUTES**

1. Notify the members of the Executive Council immediately upon the occurrence of any job action (i.e. strike, lockout, work to rule, etc.) by the employees of the IFPTE and consult with the Council on actions to be taken;
2. Notify the IFPTE locals and affiliates.
3. Facilitate arrangement for the performance of work by non-striking employees to allow them to perform their duties without having to cross sanctioned picket lines; providing such employees notify their employer they are available to work in a timely manner.
4. Every effort shall be made to void the use of scab labor. Vital duties, which cannot be deferred should be performed by the Principal Executive Officers, members, provided they do not have to cross picket lines.

While it is recognized that there will be reduced servicing to member locals as a result of implementation of such guidelines during such an emergency, the compelling interests of all of the IFPTE membership will be served by adherence to guidelines which reflect the fundamental rights and responsibilities of workers and principles of trade unionism.

## **ADDENDUM C**

### **GUIDELINES FOR NEGOTIATING WITH EMPLOYEE ORGANIZATIONS**

1. This sets forth the policy of the IFPTE Executive Council with respect to the conduct of collective bargaining negotiations between the Federation and the respective Employee Organizations.
2. An overview of pending negotiations will be made by the Executive Council in its regular meeting nearest preceding the formal negotiations period.
3. All negotiations with employee organizations shall be conducted by the President and Secretary-Treasurer or their designated representatives.

4. Union (Employee organization) proposals for a successor agreement be forwarded to the Vice Presidents by the Executive Officers promptly upon receipt thereof.
5. Management proposals for a successor agreement will be developed within general guidelines as determined by the Executive Council; provided, however, that such guidelines shall in no way encumber the legal responsibilities of the Executive Officers to bargain in good faith with the employee organizations. Management proposals shall be forwarded to the Vice Presidents promptly following presentation to the Union Representative(s).
6. The Executive Officers will issue periodic reports to the Vice Presidents concerning the progress of negotiations.
7. The Executive Council shall be afforded the opportunity to approve or disapprove any final agreement between management and the Union (s). In the event the Union(s) do not agree on Management's final offer, the Executive Council shall be notified promptly. A conference call will be arranged as soon as possible to consider the matter and decide on a course of action.

# PROCEDURES FOR TRIALS

conducted under the

## INTERNATIONAL FEDERATION OF PROFESSIONAL AND TECHNICAL ENGINEERS, AFL-CIO & CLC AND SUBORDINATE BODY CONSTITUTIONS AND BYLAWS

The following procedures and guidelines have been adopted by the IFPTE Executive Council for inclusion in the IFPTE Manual of Policies to guide Trial Examiners and Trial Boards in the processing of internal union charges under the IFPTE and IFPTE affiliated subordinate body constitutions and bylaws. <sup>1</sup>

### Filing of Charges

1. Charges must be filed within a reasonable time after the occurrence of the alleged violation of the Constitution or bylaws became known or should have been known to the charging party. Except for good cause shown, charges filed more than sixty (60) days after the occurrence was known or should have been known will be dismissed as untimely filed. All charges shall be in writing and must be sufficiently explicit as to reasonably inform the charged party of the nature of the accusations against him or her. All charges shall enumerate in the charge the sections of the Constitution or bylaws alleged to have been violated; as well as the action or conduct complained of including times, dates, and places.
2. All charges shall be submitted to the President of the Federation or, in the case of

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<sup>1</sup> IFPTE affiliated subordinate bodies are required to follow the requirements of their respective constitutions and bylaws, to the extent they are not inconsistent with the Federation Constitution, in hearings on charges brought under those subordinate bodies' constitutions and bylaws. These procedures are intended only to supplement and guide IFPTE affiliated subordinate bodies in the event no local procedures exist or local procedures are silent on a procedural issue.



charges filed under a subordinate body's constitution and by-laws to that bodies' presiding officer, together with a written statement by the charging party that a copy has been provided to the charged party and the method of delivery of the charges to the charged party.

### Selection of Trial Examiner or Trial Board

3. The President of the Federation shall supervise the conduct of hearings on all charges brought under the Federation Constitution, except those involving the Federation President or Secretary-Treasurer as the charged or charging party.
  - a. The President shall appoint an impartial Trial Examiner who shall be a member of the IFPTE Executive Council or a member of the Federation's Panel of Trial Examiners to hear such charges. The Trial Examiner will make a recommendation including findings, conclusions, and a recommended disposition to the Federation President. However, the Federation President shall independently reach a final decision regarding the disposition of the charges.
  - b. The Panel of Trial Examiners shall consist of members in good standing of the Federation who are nominated and approved by members of the IFPTE Executive Council. Executive Council members will provide the Federation President with their nominees (one nominee from each Council member) within sixty (60) days following the adjournment of the triennial Federation Convention. The nominees will then be approved or disapproved by polling the Executive Council as soon as possible thereafter. If the nominee of any Council member is disapproved, the Council member will be entitled to continue to submit additional nominees, until a nominee is approved. Vacancies on the Panel will be filled by the same process. Except for good cause shown and upon a majority vote of the Federation Executive Council, Panel members may serve until a replacement is nominated and approved following a triennial convention.<sup>2</sup>
  - c. The President may refer charges involving members or officers of a subordinate body, and which require the resolution of questions raised under a subordinate body's constitution and bylaws, to the subordinate body for hearing. In hearings

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<sup>2</sup> The Federation's Panel of Trial Examiners was created to facilitate timely hearings by expanding the number of Trial Examiners qualified under the Federation Constitution.

conducted by subordinate bodies, the hearing body shall have jurisdiction only to hear and determine questions raised under the subordinate body's constitution and bylaws.

4. The Executive Council of the Federation shall constitute the Trial Board before which hearings on charges involving the President or Secretary-Treasurer as the charged or charging parties, are heard. This Trial Board may appoint one of their members, who shall be impartial, to act for it as Trial Examiner for the purpose of holding a hearing. The Trial Examiner will make a recommendation including findings, conclusions, and a recommended disposition to the Trial Board. However, the Trial Board shall independently reach a final decision regarding the disposition of the charges.
5. IFPTE affiliated subordinate bodies, which do not have established trial procedures, will select a three-person Trial Board to conduct internal union hearings.
  - a. Trial Board members will be nominated as follows: three members in good standing by the membership; and three members in good standing by the subordinate body executive council or committee. The charged and charging party shall each be entitled to strike one of the nominees. The three person Trial Board will then be selected by lottery. The remaining nominee will serve as an alternate Trial Board member.
  - b. The Trial Board will elect a Chairperson who will be responsible for carrying out the administrative duties of the Trial Board, and presiding and maintaining order during the hearing. The full Trial Board will jointly decide significant procedural and evidentiary issues and all substantive issues raised during the hearing. The Trial Board shall have jurisdiction only to hear and determine questions raised under the subordinate body's constitution and bylaws.
6. Trial Examiners and Trial Board members shall be impartial.
  - a. In all cases, persons who are charged or charging parties or witnesses in an internal union hearing shall recuse themselves from serving as a Trial Examiner or participating on a Trial Board. It should be noted that the mere fact that a member of the Trial Board might have some information concerning the case, or even might be on an opposite political side, is ordinarily not sufficient to render the person impartial. There has to be some actual personal antagonism or similar factor, which

would make it unlikely that the Trial Examiner or Trial Board member could act impartially.

- b. Once an individual is designated as a Trial Examiner or Trial Board member for a particular internal union proceeding, they should avoid *ex parte*<sup>3</sup> contacts with the parties except to resolve administrative matters regarding the hearing. If parties seek such contacts, Trial Examiners and Trial Board members should postpone the discussion until the hearing or schedule a conference where all parties and Trial Board members can participate.

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<sup>3</sup> *Ex parte* communications are communications about the pending charge, hearing or decision which occur between a trial examiner or trial board member and one or more of the parties without all of parties' participation or knowledge. Such communications are to be avoided because they do not give all parties the opportunity to participate in these discussions. A trial examiner's or board's decision is not necessarily tainted simply because an *ex parte* communication occurs. Moreover it is generally accepted that *ex parte* contacts regarding purely administrative matters are not problematic. The recommended practice is to avoid substantive discussions with any of the parties unless all parties are present. This serves to avoid even the appearance of any unfairness on the part of the trial examiner and trial board. In this regard, parties are asked not to initiate *ex parte* contacts regarding substantive matters and to serve copies of all correspondence directed to the trial examiner, trial board, or appellate body, on all parties as well.

## Scheduling and Notice of Hearings

7. Internal union hearings shall be scheduled by the Trial Examiner or Trial Board. It is the responsibility of the Trial Examiner or Trial Board Chair to notify the charged and charging parties of the date, time and location of the hearing at least three weeks prior to the hearing date. The notice shall also include a copy of the charges, a copy of these procedures, and state that the parties must come to the hearing prepared to present all evidence, in the form of witness testimony and documentary evidence, relevant to the charges. The notice will also inform the parties that evidence will not be accepted after the close of the hearing, except on good cause shown. Finally, the notice will inform the parties that they are entitled to be represented at the hearing by any member in good standing of the Federation.<sup>4</sup> Witnesses need not be members of the Union, and each party is free to produce any witness who is able to give testimony relevant to the issues.

## Hearing Procedures

8. It is the primary responsibility of the Trial Examiner or the Trial Board to ensure that parties are provided the opportunity for a full and fair hearing. This does not mean that internal union trials should be conducted with the formality or technicality of a court proceeding, and most unions including our own correctly discourage that sort of proceeding. The requirement does include the right of a charged party to be heard before an impartial Trial Examiner or Board, to examine and cross-examine witnesses, and to otherwise defend against and rebut any evidence introduced in support of the charges.
9. The Trial Examiner will arrange for an impartial person to take notes and prepare a summary of the proceedings, a copy of which will be provided to all parties. Tape recorders and court reporters are not permitted except with the permission of the Trial Examiner or Trial Board. In hearings conducted by a Trial Board, the Chairperson will select one of the remaining members to take notes and prepare a

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<sup>4</sup> Parties are not entitled to representation by independent legal counsel. The use of legal counsel is discouraged because the presence of lawyers tends to make internal union hearings overly technical, to over complicate and to unduly lengthen the proceedings. In the case of hearings on trusteeships under Article XVII, section 8, parties are permitted to be represented by independent legal counsel.

summary of the proceedings, a copy of which will be provided to the parties.

10. The Trial Examiner or Trial Board Chair shall preside during the hearing.

a. The Trial Examiner or Trial Board Chair will open the hearing by reading charges. Only those charges included in the notice of hearing are to be read. New charges may not be added except with the express written consent of the charged party and permission of the Trial Examiner or Trial Board.

b. Each party will then be allowed to make a brief statement of their position before calling any witnesses. The charging party bears the burden of proof and should be called upon first.

c. The charging party should then be called upon to produce evidence in support of all charges. The charging party may produce and question witnesses and produce documentary evidence. At the beginning of each witness' testimony the Trial Examiner or presiding officer will administer the oath as follows: "Do you promise to tell the truth, the whole truth and nothing but the truth?" At the conclusion of each witness' testimony, the charged party is allowed to cross-examine.

d. The charged party then proceeds with his or her defense, presenting witnesses and documentary evidence, with opportunity for charging party to cross-examine. The oath of office will be administered to each witness as described above.

e. At the conclusion of the defense, the charging party can put on additional witnesses, but only in rebuttal of the charged party's evidence and the charged party will be given a similar opportunity for rebuttal of the charging party's rebuttal evidence.

f. When the parties have concluded their presentation of evidence, the Trial Examiner or Trial Board Chair should inquire of the charged party whether they have anything further to add, and if there is nothing, should direct that the case is closed.

g. The Trial Examiner or any member of the Trial Board is free to ask questions of any witness produced by any of the parties, but no Trial Examiner or Trial Board member should attempt to testify or independently bring in evidence in support of, or in defense to, the charges.

h. Trial Examiners and Trial Boards lack the authority to compel witnesses to appear at internal union hearings or to answer questions posed by the parties. IFPTE members are encouraged to participate and to give full and complete testimony in these hearings to assist IFPTE in maintaining fair and just self government of the Federation and its affiliated subordinate bodies. In this regard both the charged and charging parties are entitled to testify on their own behalf and to cross-examine parties who elect to testify. A Trial Examiner or Trial Board should not draw any adverse conclusion solely based on a party's decision not to testify. However, the Trial Examiner or Trial Board may consider a party's refusal to subject their testimony to cross examination in determining how much weight the party's testimony should be given.

i. Trial Examiners also lack the authority to order the parties to keep information disclosed in internal union hearings confidential. The parties are encouraged to use discretion in discussions regarding these proceedings and to favorably consider voluntary confidentiality agreements where appropriate.

j. Parties and witnesses are required to bear their own costs of participation in internal union hearings, except as specifically provided in the IFPTE Constitution.

11. Hearsay testimony may be admitted but should be given less weight than first hand testimony and the ultimate decision should rest on something other than hearsay testimony. Hearsay testimony is a statement made by a witness based on what someone else told him or her, and not from personal knowledge or observation. For instance, it cannot be proved that the charged party has misappropriated Union funds merely upon the basis of testimony by Witness "K" that "Y" told "K" that they saw the charged party misappropriate money. An important exception to the hearsay rule is in the case of admissions. If a charged party admitted committing the wrongful act charged then the person hearing such admission can so testify and the testimony may be given the same weight as first hand testimony. Of course, circumstantial evidence is always admissible if it is relevant as, for instance, the books and records in the case of an alleged misappropriation.

12. Signed or even sworn statements of direct witnesses should not be admitted unless the witness is unavailable for the hearing, and even then such statements could not be given great weight. This is so because where the witness does not appear and only his or her statement is put in the record, the other party has no opportunity to

cross-examine.

13. Every effort should be made to avoid any ultimate determination in the case based solely on either hearsay evidence or sworn or signed statements. Wherever possible, there should be some testimony produced by a witness who can testify to a fact on their personal knowledge to support the ultimate finding of the Trial Examiner or Trial Board, or else there should be some circumstantial evidence on which the Trial Board can rely.

14. If the charged party does not appear at the time set for trial, the trial should nevertheless proceed and a record made, provided the charged party had been properly notified of the hearing. A Trial Examiner or Trial Board cannot find a charged party to have committed the alleged offense(s) simply because they do not appear at the hearing. In the absence of any evidence that they committed the violation, which is the subject of the charges, the charges must be dismissed even though the charged party fails to appear or offer any defense.

#### Issuance of a Decision

15. The Trial Board will, either at the conclusion of trial or as soon as practical thereafter, meet and arrive at a decision. In cases heard by Trial Examiners, recommendations including findings, conclusions, and a recommended disposition, will be transmitted to the Federation President at the earliest possible date. In cases where the Executive Council acts as the Trial Board, the Trial Examiner's recommendations will be transmitted to the Executive Council. In so doing, the record as a whole, the testimony of the witnesses, the exhibits, and the circumstantial evidence produced at the hearing should be considered. If there is any conflict in testimony, the Trial Board or Trial Examiner should weigh the credibility of the respective witnesses. The ultimate decision should be based upon evidence, whether in the form of testimony or exhibits, which supports the finding.

16. If the Trial Board finds that the charges should be sustained, it should fix a penalty. The penalty should take into account the seriousness of the violation involved. Outright expulsions are warranted only if the violation has been of a very serious and basic nature, such as a willful breach of fiduciary duty or embezzlement. Accordingly, Trial Boards and Trial Examiners would be well-advised to take great care in imposing penalties. The Trial Board should state its decision and

penalty in writing together with a brief statement of the reasons for the finding of a violation or for a dismissal of the charges, as the case may be. The Trial Board should make every effort to reach a decision as soon as possible. This decision should be transmitted to the parties, by certified mail with return receipt requested, along with a notice stating any internal appeal rights available under the Federation Constitution.

### Appeal Process

17. Appeals are allowed as follows:
  - (a) Any person against whom disciplinary action has been taken shall have the right to appeal: (i) from a disciplinary action by a subordinate body to the Federation Executive Council, and then to the Convention; (ii) from a disciplinary action by the Federation Executive Council to the Convention; and (iii) from a disciplinary action by the Federation President to the Federation Executive Council, and then to the Convention.
  - (b) Where charges have been dismissed in whole or in part, the person filing the charges shall have the right of appeal to the Executive Council.
18. Appeals must be received by Federation President's office within 30 days from the date the decision is received by the appealing party. The appeal must be in writing, state the basis of the appeal, be signed by the appealing party or their representative, and served on all parties involved in the trial proceedings.
19. Other parties to the trial will be allowed to participate in the appeal if they serve a written notice of their intent to do so on the Federation President's office and the appealing party within 30 days from the date the appeal is received by them.
20. All parties to the appeal have the right to be represented by any member in good standing of the Federation. An appeal is not a new trial and the information presented on appeal should be limited to arguments based on the facts presented at the trial level. Decisions on appeals will be transmitted to the parties along with a notice regarding any further internal appeal rights under the Federation Constitution.
21. In the case of appeals to the Federation Executive Council, the Executive Council,



may appoint a Council member to hear the appeal and make a recommendation as to the disposition of the appeal. The Executive Council will determine for itself what the final disposition of the appeal will be. Council members will recuse themselves from participation in appeals from proceedings in which they participated as a party, witness or Trial Examiner.

22. In the case of appeals to the Federation Convention, a Convention Committee appointed by the Federation President, with the concurrence of the Federation Executive Council, will hear the appeal. At the completion of the appeal hearing and deliberations, the Committee will make known their recommendation to the Convention. The parties to the appeal may submit a request to appear before the Convention to the Committee Chair. The Committee Chair will report the Committee recommendations to the Convention and submit any requests for personal appearances by the parties to the Convention. The Convention will first decide whether to grant any requests for personal appearances and then determine the final disposition of any appeals presented by the Committee.
23. On appeal, the reviewing body may reverse the decision of the Trial Board, or affirm the decision of the Trial Board, either in whole or in part. Even when the decision of the Trial Board is affirmed, the reviewing body may reduce the penalty if it feels that the circumstances warrant such action. If the decision of the Trial Board is reversed on procedural grounds, such as insufficient notice, denial of the right to cross-examine, and the like, the case may be remanded to the Trial Board for a new trial to be conducted in a procedurally correct manner. However, if the decision of the Trial Board is reversed on the merits, the case would at that point be closed once all appeals allowed under the Federation Constitution have been completed.