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# Your Rights as a Union Member

## IATSE Local 635

Local 635 is required by Federal law, under Section 105 of the Labor-Management Reporting and Disclosure Act (LMRDA), to inform members of their rights and how to enforce them. The LMRDA guarantees certain rights to union members and imposes certain responsibilities on union officers. These rights and responsibilities appear in Titles I through V of the LMRDA and are codified as §411 - 415 of Title 29 United States Code.

The U.S. Courts have determined that a “one-time” notification at the time a person joins a union is not enough to comply with the law and that it is the union’s duty to “keep members informed”. The intent of this document is to inform you of 1) your protected rights as a union member, 2) the responsibilities imposed on local union officers by Federal law, and 3) contacts at the Office of Labor-Management Standards (OLMS) where you may obtain additional information or assistance. A copy of this notice and LMRDA Title I - “Bill of Rights” is on file with other Local 635 official documents.

## MEMBERS

**Bill of Rights** - Local 635 members have:

- equal rights to participate in union activities
- freedom of speech and assembly
- voice in setting rates of dues, fees, and assessments
- protection of the right to sue
- safeguards against improper discipline

**Note:** You have a right to a secret ballot vote on the rates of dues, initiation fees and assessments as well as for referendums and elections.

**Although you have an overall right to sue the union, you may first be required to exhaust the internal union appeal procedures but for no more than three months.**

**Copies of Collective Bargaining Agreements** - Local 635 members (and nonmember employees) have the right to receive or inspect copies of collective bargaining agreements that affect their employment.

**Note:** You have a right to receive a copy of any bargained labor agreement that covers you, along with all amendments, and to inspect any other contracts and/or records that Local 635 administers which affect your employment.

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## ELECTIONS

**Election Rights** - Local 635 members have the right to:

- nominate candidates for office
- run for office
- cast a secret ballot
- protest the conduct of an election

**Elections** - Local 635 must:

- hold elections of officers by secret ballot at least every three years.
- conduct regular elections in accordance with Local 635's constitution and bylaws consistent with Federal law and preserve all election records for one year.
- mail a notice of election to every member at least 15 days prior to the election.
- comply with a candidate's request to distribute campaign material.
- not use union (or employer) funds or resources to promote any candidate.
- permit candidates to have election observers.
- allow candidates to inspect Local 635's membership list at least once within 30 days prior to the election.

**Note:** You have the right, as a member in good standing, to run for office, subject to reasonable, uniformly imposed qualifications and certain Federal prohibitions to holding office.

**Local 635 must provide each member in good standing with a reasonable notice for nomination of officers.**

**Prohibitions to Holding Office** - A person convicted of certain listed crimes is prohibited from serving as a union officer, employee, or representative for up to 13 years.

## OFFICERS

**Financial Safeguards** - Local 635 officers have a duty to manage the funds and property of the union solely for the benefit of the union and its members in accordance with the Local 635 constitution and bylaws. Union officers or employees who embezzle or steal union funds or other assets, commit a Federal crime punishable by a fine and/or imprisonment.

**Bonding** - Union officers and employees of a union who handle union funds or property must be bonded to provide protection against losses if their union has property and annual financial receipts which exceed \$5,000.

**Loans** - A union may not have outstanding loans to any one officer or employee of the union that in total exceed \$2,000 at any time.

**Fines** - A union may not pay the fine of any officer or employee of the union convicted of any willful violation of the LMRDA.

**Officer Removal** - Local union members have the right to an adequate procedure for the removal of an elected officer guilty of serious misconduct.

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## REPORTING

**Reports** - Local 635 is required to file an initial information report (Form LM 1) along with a copy of its constitutions and bylaws (as well as subsequent changes or amendments) and an annual financial report (Form LM 2, 3 or 4) with the Office of Labor-Management Standards (OLMS). The Local must maintain copies of all documents and reports filed and all related records for five years which, upon request for just cause, must be made available to members for examination. The reports are public information and copies are available from the OLMS.

**Labor Organization Reports** - The Local 635 President and Treasurer must:

- file an initial information report (Form LM 1) with OLMS.
- file annual financial reports (Form LM 2, 3 or 4) with OLMS.
- assure that all records necessary to verify the reports are retained for at least five years.

**Note:** Local 635 (and the International) is required to file a copy of its constitution and bylaws, subsequent amendments, and annual financial reports with the U.S. Department of Labor. The reports contain the salaries and expenses of officers and full-time employees of the union, as well as other detailed income and expenses of the union.

The financial reports, as well as the Local's constitution and bylaws, are public information. Copies can be obtained from the U.S. Department of Labor, Office of Labor-Management Standards (OLMS) in Washington, DC or the OLMS Nashville District Office.

**Union Officer and Employee Reports** - Local 635 officers and its employees must file annual reports concerning any loans, benefits, or financial interests received from employers (whose employees the Local represents) and/or businesses that deal with the Local.

## OTHER

**Trusteeships** - Unions may only be placed in trusteeship by a parent body for the reasons specified in the LMRDA.

**Prohibition Against Certain Discipline** - A union or any of its officials may not fine, expel, or otherwise discipline a member for exercising any LMRDA right.

**Prohibition Against Violence** - No one may use (or threaten to use) force or violence to interfere with a union member in the exercise of a LMRDA right.

**Internal Issue Remedies** - In matters relating to elections and/or discipline regarding internal rules of membership, the provisions of Local 635's and/or the International's constitution and bylaws must usually be exhausted before initiating administrative enforcement action with a government agency or filing a civil suit in a Federal court.

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## Government Information and Assistance

The Office of Labor-Management Standards (OLMS) is the office in the U.S. Department of Labor that administers most provisions of the Labor-Management Reporting and Disclosure Act (LMRDA) of 1959, as amended. The LMRDA ensures basic standards of democracy and fiscal responsibility in unions which represent employees in the private sector.

In matters relating to unfair labor practices of employers or unions, the National Labor Relations Board (NLRB), an independent federal agency, provides resolution and enforcement assistance concerning violations of the National Labor Relations Act (NLRA).

Copies of Local 635's (or any union's) annual financial reports and constitution and bylaws are available from the OLMS Division of Reports, Disclosures, and Audits.

U.S. Department of Labor  
Office of Labor-Management Standards  
Public Disclosure Room  
200 Constitution Avenue., Room -5610  
Washington, DC 20210

Phone: 202-693-0125  
Fax: 202-208-2904

Additionally, you may view, download, and/or request hardcopies of reports on-line at the OLMS website – [http://www.dol.gov/esa/olms\\_org.htm](http://www.dol.gov/esa/olms_org.htm).

Contact the nearest OLMS area office if you have questions, need assistance or additional information. The OLMS office for all North Carolina Unions is located in Nashville, TN.

Nashville District Office  
U.S. Department of Labor, OLMS  
233 Cumberland Bend Drive, Room 110  
Nashville, TN 37228  
615/736-5906  
FAX: 615/736-7148

Reminder – an employer or a union, its officers, employees, or representatives may not interfere with your right to seek outside assistance regarding your employment or rights as a union member.

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