

Revised Resolution No. 3

COMMITTEE ASSIGNMENT: Constitution & By-Laws

Re: Conservatorship to Correct Corruption or Financial Malpractice, Assure Performance of Representational Duties, Restore Democratic Procedures, or Prevent or Redress Violations of the IAFF Constitution and By-Laws

1 WHEREAS, there are times when local unions,
2 due to corruption, financial malpractice, violations of
3 the IAFF Constitution and By-Laws, or absentee or
4 neglectful officers, cannot effectively operate or
5 represent their membership, and suspension of the
6 offending officers alone is not sufficient to ensure
7 protection of the members' interests; and

8 WHEREAS, in those rare instances when a local
9 union cannot be effectively operated by current
10 officers, local executive board members or members
11 due to corruption, financial malpractice, violations of
12 the IAFF Constitution and By-Laws, or absentee or
13 neglectful officers being experienced by the local
14 union, it is in the interest of the members of the local
15 union that the local union be administered by an
16 experienced officer for a short period until the issues
17 and problems facing the local union are resolved; and

18 WHEREAS, the IAFF needs a procedure to
19 ensure that local unions are properly administered
20 and members' interests are protected and that a
21 qualified officer can step in for a short period of time
22 to resolve issues and problems and administer a local

23 union that cannot effectively operate or represent
24 their membership due to corruption, financial
25 malpractice, violations of the IAFF Constitution and
26 By-Laws, or absentee or neglectful officers; therefore
27 be it

28 RESOLVED, That a new Article XXII of the
29 IAFF Constitution and By-Laws be added as follows:

30 “Section 1. Grounds for Conservatorship

31 Upon the General President’s suspension of any
32 officer(s) of a local union in accordance with
33 Article XI, or in the absence of any elected
34 officer(s), the Executive Board may vote
35 by at least 75% majority approval to place
36 that local union into conservatorship if the
37 local union is unable to effectively operate and
38 there is evidence that a conservatorship
39 is required to correct corruption or financial
40 malpractice, assure performance of
41 representational duties, restore democratic
42 procedures, or prevent or redress violations
43 of the IAFF Constitution and By-Laws.

44 Section 2. Process of a Conservatorship

45 Upon the Executive Board’s vote to place a local
46 union into conservatorship, the General President
47 shall appoint a qualified IAFF representative who
48 will work in conjunction with the Office of the
49 General Secretary-Treasurer to administer the
50 local union, and who shall be entitled to take over
51 and to hold, exclusively for the benefit or and in
52 the interests of the membership of the local union,
53 all or any parts of the books, records, papers,

54 funds, and property held or administered by the
55 local union, to supervise and administer all or any
56 part of the local union's affairs and business, to
57 act in all respects in the place and stead of all or
58 any of the suspended officers of the local union,
59 and to exercise such other and further powers as
60 shall be authorized by the Executive Board.

61 The qualified IAFF representative appointed to
62 Administer a local union in conservatorship shall
63 have his or her reasonable expenses incurred in
64 administering the local union reimbursed out of
65 the funds of the local union or, if no such funds
66 are available, by the IAFF.

67 Section 3. Reports

68 The qualified IAFF representative appointed to
69 administer a local union in conservatorship shall
70 file monthly reports on the administration of the
71 local union with the General President.

72 Section 4. Terminating a Conservatorship

73 Upon recommendation by the General President,
74 the Executive Board can vote to end a local
75 union's conservatorship at any time, but no later
76 than one hundred and eighty (180) days after the
77 imposition of the conservatorship, unless the
78 Executive Board determines by a vote of at least
79 75% majority approval that there is cause to
80 extend the conservatorship beyond one hundred
81 and eighty (180) days.”

Submitted by: IAFF Executive Board

Cost Estimate: **None**

Annual or Perpetual Designation: N/A

COMMITTEE RECOMMENDATION: Adopt as Revised

CONVENTION ACTION: Adopted as Revised