

Resolution No. 19
COMMITTEE ASSIGNMENT: Constitution & By-Laws
Re: Pre-Trial Review Boards

1 WHEREAS, the Constitution & By-Laws of the
2 International Association of Fire Fighters establish
3 procedures governing charges, trials, and appeals
4 involving members and officers of the Association;
5 and

6 WHEREAS, Pre-Trial Review Boards provide an
7 efficient mechanism to review charges prior to trial;
8 and

9 WHEREAS, requiring review of charges by a Pre-
10 Trial Review Borad prior to convening a Trial Board
11 will help ensure that charges which are frivolous,
12 retaliatory, de minimis, or otherwise insufficient do
13 not proceed unnecessarily to trial; and

14 WHEREAS, establishing a uniform preliminary
15 review process will promote fairness, efficiency, and
16 confidence in the Association's disciplinary
17 procedures; therefore be it

18 RESOLVED, That Article XVI, Section 5 of the
19 Constitution & By-Laws be amended to read as
20 follows, replacing the existing Section in its entirety:

21 "Section 5. Pre-Trial Review Boards

22 All charges filed pursuant to this Article shall be
23 reviewed by a Pre-Trial Review Board ("PTRB").

24 The PTRB shall review the written submissions of
25 the parties and any accompanying exhibits to
26 determine whether the charge should proceed to

27 trial. The PTRB may dismiss any charge it
28 determines is frivolous, retaliatory, de minimis, or
29 fails to state a violation of this Constitution & By-
30 Laws, and may require the charging party to
31 clarify or amend the charges where necessary.
32 The PTRB shall apply these standards uniformly
33 to all parties.
34 Any party may submit a written statement for
35 consideration by the PTRB. Such statements must
36 be received by the Office of the General President
37 no later than thirty (30) calendar days before the
38 Executive Board meeting at which the PTRB will
39 be convened. At the time of submission, the
40 submitting party shall provide a complete copy of
41 the statement, including any exhibits, to all other
42 parties.
43 The General President shall convene a PTRB
44 consisting of three Vice Presidents selected
45 from panels regularly established by the General
46 President and drawn from districts adjacent to the
47 district in which the charges were filed. No Vice
48 President may serve on a PTRB reviewing
49 charges arising from that Vice President's district.
50 Any Vice President serving on a PTRB shall be
51 recused from participating in any subsequent
52 appeal arising from the same case."

Submitted by: IAFF Executive Board

Cost Estimate: **None**

Annual or Perpetual Designation: **N/A**

COMMITTEE RECOMMENDATION:

CONVENTION ACTION: