INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS

LOCAL UNION ADMINISTRATION OVERVIEW

An Instructional Unit for State, Provincial and Local Affiliates as a guide to establish effective Local Union Administration.

Local Union Administration Overview Outline

If your local union is to meet the needs of its members it must be operated in an effective and efficient manner. This not only includes the structure of your local as determined by its constitution and by-laws, but the performance of its officers in accordance with the provisions of these documents. ***Local Union Administration Overview*** will help you and your local in achieving the goals your members have set for it. You will find information on the duties of each local union officer, as well as responsibilities of the executive board and other committees in your local. Discussion on how to conduct membership meetings, operate committees, develop PR programs, organize political structures, manage union halls, and educate your members is provided as well.

Objectives

The objectives of this workshop are to:

- acquaint you with how the internal structure of your local should operate;
- familiarize you with how to encourage membership involvement through committees;
- assist you in your local's public relations efforts both internally and externally;
- familiarize you with how your local can become more politically active through legislative involvement;
- assist you in educating your members on issues important to your local union;
- familiarize you with how a union hall should be structured and its uses as a business office and a meeting place; and
- acquaint you with the various services and assistance available from the IAFF.

Competencies

At the conclusion of this session, you will have received training and information to assist you in accomplishing each of the following competencies. You will:

- understand why your local union constitution and by-laws establish the basic organization of your local;
- be able to identify the duties of a local union president, local union secretary, local union treasurer, and local union executive board;
- be familiar with the fiscal responsibilities of your members and your local union;
- know why it is important for your local to affiliate itself with other labor organizations;
- know about your local's bargaining agent responsibility and "duty of fair representation";
- know how a membership meeting should be conducted;
- know the differences between standing committees and special committees;
- be able to determine the size and make up of a committee;
- be familiar with the rules, rights and responsibilities that govern the committees of your local;
- be able to effectively use public relations to motivate your members;
- know how to use public relations to help your local union present a positive image to your community and influence decisions that affect your members;
- be able to differentiate between federal and non-federal elections so that your local can make contributions to campaigns appropriately;
- understand the importance of your union becoming involved in the political process at the local, state and federal levels;
- be able to identify grassroots lobbying as the most effective method of political involvement;

- know of the importance of educating your members about the policies and decisions of your local union;
- be able to identify the three different types of training programs available from the IAFF;
- understand the importance of the identity of your local through the establishment of its union hall;
- know that the business office of your local is an area set aside for the purpose of conducting the administrative function of your local;
- be able to identify the functions and uses of a union hall;
- be able to identify the various services available from the IAFF on politics, public relations, education, safety, negotiations, hazardous materials and EMS; and
- understand the importance of becoming involved with your state/provincial association.

Textbooks and References

- *Local Secretary-Treasurer's Informational Manual,* developed by the International Association of Fire Fighters.
- *Local Union Administration,* developed by the International Association of Fire Fighters.
- *An Overview of Membership Services,* developed by the International Association of Fire Fighters.
- *Political Action for Fire Fighters,* developed by the International Association of Fire Fighters.
- *Public Relations—Putting it All Together,* developed by the International Association of Fire Fighters.

Subject Matter

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NO
VISITORS

I. INTERNAL STRUCTURE OF A LOCAL UNION

Instructor Notes:

- *Begin your presentation by introducing yourself and briefly stating the objectives of your presentation (use slide #1).*

A. Local Union Constitution and By-Laws

Instructor Notes:

- *Point out that a local union constitution and by-laws establishes the basic organization of a local (use slide #2).*

Through its constitution and by-laws, your local establishes its basic organization, including the duties and responsibilities of your local union officers, executive board and committees, as well as the various procedures that govern different types of meetings.

Your local's constitution and by-laws should provide the precepts necessary for governing your members. It should meet their needs, as well as be flexible for reasonable and future change.

The more definitive responsibilities, objectives and organizational goals of your local should be expressed in the preamble of your constitution and by-laws. It is the duty of all your members to respect these principles and carry them out while performing their duties as members of the fire service.

Your constitution and by-laws must mandate the authority and responsibilities of all of its executive officers, including your president, secretary, treasurer, and members of your executive board. It must also establish how your local will carry out all of its business and conduct all of its meetings.

B. General Operations

1. Basic Organizational Structure

a. Administrative Operations

Instructor Notes:

- *Point out that the administrative operations of a local are usually performed by a president, a secretary, a treasurer, and an executive board (use slide #3).*
- *Discuss the general duties of a local union president (use slide #4).*
- *Discuss the general duties of a local union secretary (use slide #5).*
- *Discuss the general duties of a local union treasurer (use slide #6).*
- *Discuss the general duties of a local union executive board (use slide #7).*

In most circumstances, local union officers consist of a president, secretary, and treasurer. Between membership meetings, all administrative, executive and judicial powers of a local are performed by an executive board.

The president of your local union serves as your local's executive head. The president's general duties include:

- Presiding over all meetings of your local, as well as over all of its executive board meetings.
- Appointing all committees provided for in your local's constitution and by-laws.
- Signing all orders and checks that are properly and lawfully drawn.
- Enforcing the observance of the International's Constitution and By-Laws and the constitution and by-laws of your local.
- Supervising the activities of other local union officers and chairpersons of your committees.
- Serving as delegate for your local at the biennial IAFF Convention.

The secretary of your local union acts as your local's primary communications specialist. The secretary's general duties include:

- Keeping custody of general documents, records, books, and papers belonging to your local, except as otherwise stated in your local constitution and by-laws.
- Keeping an accurate record (meeting minutes) of your local union and executive board meetings.
- Attesting all official documents with the secretary's signature and seal of your local.
- Conducting general correspondence of your local.
- Maintaining and securing accurate and current lists of members in good standing.
- Executing and maintaining records of reports that are filed with federal and state authorities.

The treasurer of your local union keeps an appropriate record of all financial transactions of your local. The treasurer's general duties include:

- Receiving all money due your local and insuring that all funds are deposited in your local's proper account on a frequent basis.
- Disbursing all money owed by your local in an approved manner.
- Maintaining a current record of members with their dues payments, assessments, and all financial transactions.
- Exhibiting receipts and vouchers upon audit of your books.
- Forwarding your local's annual audit to the International Secretary-Treasurer.

Your local union executive board is the governing body of your local when called into session by your local union president. Your executive board is a standing committee and this means it must have a chairperson, as well as a secretary. In most cases the local union president and the local union secretary perform these duties.

b. Dues/Fiscal Responsibilities

Instructor Notes:

- *Discuss the fiscal responsibilities of each IAFF member and local affiliate (use slide #8).*

The International Constitution and By-Laws requires that all its members pay dues on a monthly basis. If a member fails to make his dues payment by the fifteenth day following the month that the dues are payable, then it is the duty of your local to notify the member that he[1] is delinquent and that he will be automatically suspended if payment is not made within sixty days following the notification. You are also responsible for making a monthly report to the International of any members who are delinquent in their dues.

Each member of the International is also issued a membership number that appears on his membership card. This number is used for identification purposes and prevents mistakes when there are several members with the same first and last names.

It is the duty of your local to be sure that membership numbers are included in the per capita tax reports. The per capita tax report is the only way that the IAFF has of knowing who the members of your local are. This report is the basis for issuing membership cards as well as constituting the source of representation of your local at the biennial IAFF Conventions. It also provides the information necessary for the mailing of the IAFF magazine, *International Fire Fighter.*

Accuracy is essential in making out the per capita tax report. This includes the spelling of members' names, addresses, and zip codes. It is also important to be accurate in reporting new members, members' address changes, retired members, active retired members, members on military leave, and deceased members.

1. Whenever a male gender is used in this document, it shall be construed to include both women and men.

c. Organizational Affiliations

Instructor Notes:

- *Discuss the importance of a local union affiliating itself with other labor organizations (use slide #9).*

It is wise for your local union to affiliate itself with other labor organizations. The most common affiliations would be with other AFL-CIO bodies such as your area's central labor council, your state labor body, and the IAFF state/provincial association having jurisdiction over your local union.

By maintaining an active role with other labor organizations, your local's sphere of influence can be greatly broadened in terms of public relations, political activities, and how organized labor represents the interests of your members. As an affiliate of an AFL-CIO labor body, your local's issues—political and otherwise—become the issues of a much broader group that already has an established support network.

In addition, your local should consider using the wide range of services that your IAFF state/provincial association offers. It is important that your local union inquire and then use these services to help meet the needs of your membership.

2. Bargaining Agent Responsibility (Duty of Fair Representation)

Instructor Notes:

- *Discuss a local's bargaining agent responsibility and the items that each local union should be familiar with when representing their members at the bargaining table (use slide #10).*
- *Define "duty of fair representation" and discuss the importance of representing all members of a local indiscriminately and fairly (use slide #11).*

Most local unions are responsible for securing better wages and working conditions on behalf of their membership. This is true in both an unstructured and structured bargaining environment. Therefore, because of your local's bargaining agent responsibility, the fundamentals of bargaining a collective agreement should always be applied when appropriate. This means that your local union should familiarize all the direct participants in this process with each of the following:

- an understanding of your exact bargaining environment;
- the purpose of collective bargaining and its process;
- a knowledge of the different techniques used to facilitate the process;
- how to prepare contract proposals and counterproposals;
- how to use the strategy of "pressure"; and
- an understanding of the processes at the bargaining table, including preparation, ground rules, presentation of proposals, actual negotiation, caucusing, and tentative agreements (subject to the entire agreement) which in turn are presented for membership consideration (ratification).

Your local union is also responsible for the protection of the rights of all of its members. Under the National Labor Relations Act your local is legally obligated to represent all of its members indiscriminately and fairly.[2] This means that all members of your local are entitled to the same treatment and cannot be treated differently because of internal political considerations. It also means that your local cannot charge a fee to a non-union member if the other bargaining unit members are not subject to the same charge.

Obviously it is to the advantage of your local to avoid any possibility of being sued for breach of "duty of fair representation." Court costs are substantial even if your local wins. Therefore, all officers of your local should know what standards exist for fair representation and the duty it imposes. Your local should also make certain all of its newly elected or appointed officials receive thorough training and instruction in "duty of fair representation."

2. Some IAFF locals that represent state and municipal government workers are not subject to the National Labor Relations Act. These locals should consult their state statutes or PERB decisions for any requirements concerning "duty of fair representation." Federal locals are required under section 7114(a)(1) of Title 5, United States Code, to represent all their members without discrimination.

C. Membership Meetings

Instructor Notes:

- *List the items that should be considered when conducting a membership meeting (use slide #12).*
- *Discuss the responsibilities of a presiding officer at a membership meeting (use slide #13).*

In most circumstances, you will find that attendance at your membership meetings is highest when elections are being held or when your contract is up for ratification. Since it is impossible to have an election or contract ratification for every meeting, it is important to plan an agenda that will attract the interests of your members. Your membership meetings should have a purpose and require some sort of action from your membership. Ideally, issues should be discussed that your members need to decide on.

Once a decision has been made on the topics to be presented, an agenda will need to be prepared and circulated among your membership. This agenda should serve as a notice and state the purpose of the meeting. It should be distributed three to five days in advance so your members will have a chance to consider the topics and make logistical arrangements.

When conducting the meeting, several items should be considered. These include:

- Starting the meeting on time. Punctuality lets your membership know that the agenda will be followed and that their time is respected.

- Introducing the officers. Even if there are only one or two new people at the meeting, introductions of the officers and others is appropriate.

- Using the parliamentary procedure adopted by your local union. The IAFF suggests using "Atwoods Rules for Meetings."

As an elected officer of your local, your president will serve as the presiding officer at your membership meetings. Running the actual meeting requires the presiding officer to accomplish several different tasks simultaneously, including the following items.

- *Maintaining Order*—Your members may address the meeting only after the presiding officer has given them the floor. Never forget that the presiding officer decides WHEN a member will speak, not WHETHER a member will speak.

- *Debates*—The presiding officer must never allow debating to result in personal abuse or the questioning of members' motives. It is his responsibility to see that a debate is orderly and on the issue.

- *Setting an Example*—The presiding officer must always set an example for all your members by obeying the International's Constitution and By-Laws and he must refuse any motions made contrary to any provision of this document.

- *Voting*—As a member of your local, the presiding officer has the right to vote. However, no member, including the president, can be forced to vote.

II. Committees

Instructor Notes:

- *Point out that a local union functions through its standing and specially designated committees (use slide #14).*

Your local union as an organization functions through its standing and specially designated committees. Under the direction of your local union president, these committees perform the investigative and research work on motions and policies prior to a vote by your membership.

A. Standing Committees

Instructor Notes:

- *Define standing committees (use slide #15).*

Standing committees can either be elected by your membership or appointed by your president to serve for a definite term as described by your local's constitution and by-laws. The foremost standing committee in your local is your executive board. The authority of your executive board is set forth in your local's by-laws and its quorum is established with your president as chairperson of the board.

B. Special Committees

Instructor Notes:

- *Define special committees (use slide #16).*

Special committees are also elected or appointed as required by your local's by-laws. They are established to accomplish a specific task then dissolved when their final reports are submitted (unless discharge requires a membership vote.) A special committee is created by a motion that should include the selection process of its members, the number of members and the date its final report is to be given. Your local union president oversees the work of each special committee and provides specific directions to each chairperson. It is the responsibility of the local union secretary to transfer all necessary materials to each special committee chairperson. Upon receipt of these materials, the special committee chairperson is responsible for these materials until the final report is submitted, with all materials then transferred back to the local union secretary.

C. Size and Make Up of Committees

Instructor Notes:

- *Point out that a committee can consist of one or more members, but that it is best if a committee is held to a small number.*

A committee can consist of one or more members. However, care should be taken that the committee is held to a small number. Committees for action usually consist of one to three members, while committees whose objective is to deliberate usually consist of five or more members.

D. Goals, Charges and Authority of Committees

Instructor Notes:

- *Discuss the general rules, rights and responsibilities that govern the committees of a local (use slide #17).*

Some general rules, rights and responsibilities that govern the committees of your local include the following items:

- Committee meetings are much more informal than your local union meetings. Committee members have the right to speak as many times as they want on a subject and if he chooses, the committee chairperson can make motions while presiding. Also, many motions made during a committee meeting do not require a second.

- Unless they are committee members, members of your local do not have the right to attend a committee meeting. The only exception to this mandate is if the member is invited to address the group and then is excused for the committee's discussions and voting activities.

- Committee meeting minutes are only read before the committee and never before the local union membership. Members of a committee should also refrain from discussing the proceedings and actions taken by their committee with other members of your local until the final report of the committee is delivered.

- A committee has the option of creating a subcommittee. A subcommittee consists of members of the committee appointed by the chairperson. The chairperson's responsibilities to his subcommittees are the same as that of a local union president and secretary to their committees in that the chairperson must provide specific directions and delivery of necessary materials for the assignment.

- In the event a committee does not function and fails to submit a report, your local union membership has the authority to dissolve the committee by a motion and a vote. A vote to dissolve a committee requires a two-thirds vote unless your membership has received an advance notice concerning the committee's discharge. In a case such as this, a majority vote is required to dissolve the committee.

III. Public Relations, Communications, and Membership Motivation

A. Internal

Instructor Notes:

- *Give examples of how to motivate members through the internal use of public relations (use slide #18).*

One of the best ways for a union member to keep informed and motivated is by attending union meetings. However, due to a variety of reasons, there are a number of members who do not attend all meetings, and as such are not as informed and motivated as you might want them to be. One of the best ways to overcome this problem is with the publication of a local newsletter. A newsletter gives your local the opportunity to maintain contact with all of its members concerning important issues. A newsletter will also help to establish an openness and credibility for your organization as well.

While a newsletter is probably the most effective way to foster good member relations and motivation, it does not have to be the only way. There are an assortment of other items that can help promote your union's image of brotherhood and sisterhood among your membership, while at the same time be of public relations value. For example, you can issue memos, use bulletin boards, and allow members to access information via their computers.

You should also use your steward as much as possible. Every steward has a special relationship with the fire fighters he represents. In some of the larger local unions the average fire fighter may not even know his own union president. Not only is the steward a key person in your local, but in some instances he is the first-line of leadership for the majority of your local's members. His ability to transmit information and motivate your membership should not be overlooked.

B. External

Instructor Notes:

- *Discuss some of the various methods of conducting an effective and on-going PR campaign (use slide #19).*

Public relations is an important key to the success and future of your local union. A well-managed PR operation can help your local union present a positive image to your community and influence decisions that affect your members as professional fire fighters and emergency medical technicians. By conducting an effective and on-going PR campaign, your local can have direct access to the public and better present your side of the story on important issues.

Everyday and in everything you do, your local should be reaching out to politicians, business leaders, community groups, and the general public. One such way of accomplishing this objective is through community relations. Generally, community relations activities include projects that might not be a direct benefit to your members, but will benefit the community in which they live and work. These types of activities help the community remember that your members are dedicated public servants. Some examples of community relations activities your local may want to consider include: assisting boy scout troops, sponsoring little league teams, setting up blood donor visits for the Red Cross, performing CPR demonstrations, operating blood pressure screenings, or conducting fire/burn prevention demonstrations for homeowner and business associations.

Another important aspect of your PR operation is public education. Due to the drama of fire fighting your career is a highly salable item to the public. However, many people do not fully understand all of the techniques, procedures, operations and problems associated with fire fighting. It is up to your local to communicate and inform your citizens to help alleviate these inaccuracies.

Your union's relationship with your employer is also vital to the success of your local. The overall public opinion regarding your fire department is formulated largely on the quality and quantity of the services it provides. However, in terms of public relations, the manner in which these services are performed is often more important than the actual service itself. In order to establish good relations with your employer and the public, your members must not only be effective in performing their duties in a technical and professional manner, but must also perform their duties in a manner that earns citizen approval and confidence.

IV. Political Action and Legislative Involvement

Instructor Notes:

- *Point out that the worst time to organize a political structure in a local is in a time of crisis (use slide #20).*

The key to political success is being organized. If you don't already have a political operation in place in your local—develop one. The worst time to begin organizing a political structure in your local is in a time of crisis.

A. Political Action Committees (PAC's)

Instructor Notes:

- *Discuss how the funds and organizations of PAC's are different on the federal, state/provincial, and local levels (use slide #21).*

1. Funds

There are two types of elections: federal and non-federal (state and local). Before making any contributions to a candidate or political party, it is first necessary to determine the type of election. Federal elections include presidential, U.S. Senate and U.S. House races. Candidates seeking these offices are allowed to accept money only from individual contributors and federal PAC's, such as the IAFF's FIREPAC. These funds are raised from individual voluntary contributions. Federal candidates are not allowed to accept money from corporations or labor union treasury fund accounts. These restrictions are detailed in the Federal Election Campaign Act (FECA) of 1975 and subject to regulations by the Federal Election Commission (FEC).

State and local campaign laws have the same general purpose as the federal law (FECA) and apply to non-federal elections, such as state judicial offices, state legislature and city/county offices. These laws vary from state to state and are subject to frequent change.

2. Organization

For your local to remain politically active at the state and local level, you should consider creating a non-federal PAC to assist in your efforts. In establishing a non-federal PAC, you will have to refer to your state's campaign finance laws. You can do this by contacting your state's agency responsible for governing non-federal PAC's.

B. Involvement in Local, State and Federal Legislation and Candidates

Instructor Notes:

- *Discuss the reasons for becoming involved in politics at the local, state and federal levels (use slide #22).*

Your local has a right and obligation to speak out and participate in the political process when issues affecting your members are raised by candidates seeking office. Your local also has a right and obligation to seek out the support of candidates on those issues that affect your members and their livelihood. Political involvement is important and your local must take an active part in the political process at all levels to protect your member's jobs, pensions, health, and safety. If not, your local will witness an erosion of its influence in your community.

Even though national legislation helps fire fighters, your members are, and will be more directly

affected by legislation adopted at the state/provincial and local levels. When focusing on political activities, keep in mind that politics is a "two-way street". Your local cannot only be interested in, and work for legislation that only affects your members. It must be attuned to the problems and needs of your community as a whole and work towards meeting and correcting them as well.

Always remember that your right to speak out on political issues that affect the daily lives of your members is guaranteed and should be exercised often. As fire fighters, your local can make a difference by participating in the political process.

C. Methods and Types of Political Activities and Involvement

Instructor Notes:

- *Discuss the importance of grassroots lobbying and how to use this particular form of political involvement to impact votes cast by elected representatives (use slide #23).*

Grassroots lobbying by constituents is the most effective political involvement today. In recent years, grassroots lobbying has become the most important and prevailing means of actually impacting the votes cast by elected representatives on pending issues. The more of your members that get involved in grassroots lobbying, the more successful the legislative efforts of your local will be. Your members should be encouraged to participate in this process by writing letters, making telephone calls, sending telegrams and participating in meetings with elected representatives to discuss issues important to fire fighters.

In general, your local's political activities should be directed towards the following areas:

- monitoring activities in your state/provincial legislatures that affect your community and membership;
- promoting local issues that advance the prestige and working conditions of your membership;
- protecting the interest of your membership against legislation detrimental to their welfare;
- endorsing candidates on the national, state/provincial, and local levels who have demonstrated concern for the good and welfare of your community and membership;
- involvement in voter registration drives with a special emphasis on your own membership; and
- raising funds because without adequate financing it is unlikely that any of the above activities could be successfully carried out.

Remember, elected representatives always have one eye focused on their re-election. They want to make sure that the actions they take are popular and that their constituents are supportive of these activities. If your local fails to communicate its positions on issues your member's voices will go unheard and your agenda will face certain defeat.

V. Education

A. Internal

Instructor Notes:

- *Stress the importance of educating the membership of a local on policies and decisions made by their local union officers and committees (use slide #24).*

Many decisions are made by your local that can affect your members. It is important that your local be prepared to educate its membership by clarifying policies determined by your executive board and explaining any decisions made by your committees.

It is also vital that your local be responsible for having the following documents:

- your local union's constitution and by-laws;
- your contract;
- any department rules, civil service laws, etc. that affect your working conditions;
- copies of state and federal laws pertaining to your employment conditions; and
- local ordinances covering your fire department.

At the very least, your local union officers should be familiar enough with the contents of these documents to find any requested information

quickly and easily. Ideally, all of your members should be familiar with them as well.

B. Training Programs

Instructor Notes:

- *Discuss what each of the three IAFF sponsored education and training seminar programs offer (use slide #25).*

The IAFF is responsible for the overall coordination and implementation of various IAFF sponsored education and training seminar programs. Some of the educational seminar programs sponsored by the International and available to your local include:

- ***IAFF Jointly-Sponsored Seminars.*** IAFF Jointly-Sponsored Seminars are conducted by state/provincial associations in cooperation with the International. The IAFF ensures that these seminars are properly approved and conducted in accordance with IAFF policy.

- ***IAFF Mini-Seminars.*** IAFF Mini-Seminars are conducted by IAFF Staff Representatives and are tailored to meet the needs of three to six IAFF locals at one time. Working in cooperation with IAFF Staff Representatives, the International provides the educational materials and supplies necessary for these seminars.

- ***IAFF Educational Seminars.*** IAFF Educational Seminars are held across the United States and Canada and are designed to provide IAFF members with the opportunity to participate in 'hands-on' workshops conducted by IAFF staff. IAFF Educational Seminars provide members the opportunity to attend specialized training workshops conducted by International Staff from all of the different IAFF Departments.

VI. Office—Union Hall

Instructor Notes:

- *Discuss the importance of a union hall and its functions as a business office and social gathering place for members (use slide #26).*

A permanent location or base of operation is important to the stability, function and productivity of your local union. Many locals are still trying to run their unions from a fire station, somebody's home, or even out of the trunk of someone's car. While these locations may be convenient, they certainly are not the most ideal place or manner in which to conduct union business. Your membership needs its own place.

If your local does not already have its own office or building, then it should make finding one a project or goal to achieve. Your local can begin this process by appointing a building committee that is charged with the responsibility of finding a way to raise funds for such an effort, as well as scouting for buildings and/or property.

When scouting for property, your local must never place itself in an unreasonable financial situation. In most cities you can find older buildings or homes at very reasonable costs and with some repair, your local can turn them into attractive and functional facilities. Sometimes, simply leasing office space, perhaps at an area labor hall, is the best way to obtain an office. Through good management, even the smallest locals can build or buy their own union halls.

A. Local Identification

The members of your local must see your union as a single entity instead of as a club for a select group of persons. To help establish this view, it is important that your membership meetings be held at a regular site, such as a union hall. Nothing gives your membership more pride than to have their own building or office space. An attractive facility where your local union's logo and name is prominently displayed, with an ad or listing in the local telephone or business directory, is very beneficial for membership morale. Your members not only need a place that clearly makes then an identifiable part of the community, but a place where they can meet, bring their grievances, gather information, do research, and conduct union business.

B. Business Office

As a union that has the responsibility of representing dues paying members, it is important that

your local carry out this duty in a businesslike manner. The best way to do so is by setting aside an area of your union hall for the purpose of conducting the administrative functions of your local. Your business office should have the proper equipment including a telephone with answering machine, a typewriter or computer, a fax machine, and a copier. All of these items can be purchased over time.

Another important aspect of your business office is that it should securely keep all of your local's documents, records, books, accounts, minutes, and business papers. Only with good reason and executive board approval should these items be temporarily removed from this area.

C. Functions and Uses of a Union Hall

Your local's union hall is a place that each member of your local can identify with. Besides serving as your local's business office, it is a place for fraternal and social functions as well. These types of activities are important so that your members have the opportunity to interact and network with your local's leaders and other members.

Your local's union hall may also be used for public relations activities or to help supplement your local's treasury . This can be accomplished through:

- community projects (CPR classes, fire prevention, and scouting);
- political meetings (candidate debates, block parties, and voter registration);
- raising funds (garage sales, cake sales, and other community or union fund raisers);
- public rentals (weddings and parties); and
- recreational use for members and their families.

However, before embarking on any type of a profit making venture for your union hall, your local should consult with a certified public accountant with nonprofit organizational experience.

VII. Effective Use of the IAFF and State/Provincial Associations

A. Services Available from the IAFF

Instructor Notes:

- *Discuss the services available from the different departments and programs of the IAFF (use slide #27).*

The IAFF always stands ready to provide a complete range of services to its professional members and their local and state/provincial organizations throughout the United States and Canada. Some of the many services that the IAFF can make available to your local include assistance with politics, public relations, education, safety, negotiations, hazardous materials, and emergency medical services.

All of the services that the International provides come from the direction of the IAFF Convention and Executive Board through the activities of the IAFF General President, IAFF General Secretary-Treasurer, IAFF District Vice Presidents, through the activities of IAFF Staff Representatives assigned by the IAFF General President, and through the various Departments at IAFF headquarters.

To obtain assistance, your local union president or secretary needs simply to contact one of the nine departments at IAFF headquarters. These departments include:

- *Technical Assistance and Labor Issues*—provides local affiliates with customized reports, arbitration assistance, negotiation assistance and analysis of financial documents.

- *Education and Information Resources*—works with regard to the research, development and implementation of educational programs, materials, computerized information, resource information and services for IAFF members.

- *Occupational Health and Safety*—assists IAFF members in recognizing and controlling the safety and health hazards associated with fire fighting and emergency medical response.

- *Hazardous Materials Training Grant Program*—develops and distributes training materials and provides direct training for hazardous materials emergency response personnel.

- *Governmental Affairs and Political Action*—oversees the coordination and implementation of the IAFF federal legislative agenda by initiating, monitoring and promoting federal legislation beneficial to IAFF members.

- *Public Relations and Communications*—communicates the IAFF's successes, objectives, and efforts to the public.

- *Emergency Medical Services*—promotes the effectiveness of fire-based emergency medical services systems by assisting local affiliates with the tools necessary to develop, enhance or protect their EMS systems.

- *Special Events*—organizes and ensures the smooth running of the various meetings and charity events that the IAFF involves itself in.

- *Legal Department*—provides advice to the IAFF General President on all legal matters of concern to the International.

Other services are available from the following offices and programs:

- *IAFF Canadian Office*—serves as the central clearinghouse for member services and information in Canada.

- *IAFF District Vice Presidents*—serve as representatives of the IAFF in their respective districts and advise local unions regarding IAFF policy and procedure.

- *IAFF Staff Representatives*—provide professional service and advice to IAFF affiliates on a number of issues including, organizing, collective bargaining, arbitration and internal assistance.

- *IAFF State Representatives Program*—with their knowledge of state laws, provide more specific assistance to locals in their jurisdiction at the request of the IAFF District Vice President.

B. Services Available from State/Provincial Associations

Instructor Notes:

- *Point out the importance of being a part of a strong state/provincial association.*
- *Discuss the various services available from state/provincial associations (use slide #28).*

While the organization and functions of state/provincial associations vary, many of these organizations provide services and information to local unions that are second only to the International. An effectual state/provincial association is a vital link between your local and other local unions in your state/province, as well as other state/province-wide labor organizations. It also makes your local stronger and more respected. If your state/province does not presently have a strong and active association, then your local union should become a leader in striving to build one.

A strong state/provincial association is a must in passing bargaining laws, protecting your pensions and making your work environment safer, as well as playing an important role in grassroots lobbying, creating PAC funds and helping to get persons elected that are sympathetic towards your causes.

Your state/provincial association can also provide your local union with a number of other services, including assistance in contract negotiations and arbitration, as well as internal and other problems. It is because of these many factors that your local union should become an active participant in its state/provincial association.

SLIDES

Duty of Fair Representation

International Association of Fire Fighters

Duty of Fair Representation

International Association of Fire Fighters

DFR is a result of a union's right to act as the exclusive representative of its members

Scope of the DFR

International Association of Fire Fighters

A union owes DFR to all employees in the unit for which it is the exclusive representative

Claims Relating to DFR

International Association of Fire Fighters

1. The union failed to take any steps to process a grievance
2. The grievance was processed in a perfunctory manner
3. The union failed to take the grievance to the final step

Steele v. Louisville and Nashville Railroad

The Supreme Court ruled that the Railway Labor Act implicitly states that the aim of Congress is to require the bargaining unit representative of a class of employees to fairly execute its power on behalf of all those for whom it represents without discrimination against any of them.

Hotel & Restaurant Employees, Local 781 v. Hotel Association of Washington, D.C.

The D.C. Circuit Court stated the principle of allowing unions a wide range of reasonableness in making decisions when resolving conflicting interests of its members, as long as the decisions are made in good faith and not based on unconstitutional factors.

Conley v. Gibson

Because collective bargaining is an continual process, the Supreme Court held that DFR does not come to an abrupt end once a contract has been signed.

Ford Motor Company v. Huffman

In the first case under the NLRA, the Supreme Court designated certain discrimination as benign, and that it would not evaluate the substantive merits of the union's decisions.

Humphrey v. Moore

International Association of Fire Fighters

The Supreme Court held that it could not find a breach of the DFR where the union took a good faith position contrary to the interest of one group of employees against that of another.

Vaca v. Sipes

International Association of Fire Fighters

The Supreme Court made it clear that a union is not required to process every grievance to arbitration. The Court held that a union must have the right to "honestly and in good faith" settle a grievance or decide "that a particular grievance lacks sufficient merit to justify arbitration."

Motorcoach Employees v. Lockridge

International Association of Fire Fighters

In this case, the Supreme Court strongly suggested that a breach of duty of fair representation requires intentional union misconduct.

Air Line Pilots v. O'Neill

International Association of Fire Fighters

In its opinion, the Supreme Court focused on the component of "arbitrary" conduct prohibited by DFR and stated that a court cannot substitute its own view of the "proper bargain" for that reached by a union.

Four Major Categories of Standards Used for the Application of the DFR

- Intentional Misconduct (3rd and 7th Circuits)
- The Legitimate or Rational Basis Standard (1st, 2nd, 5th, 6th, 8th, 10th, and D.C. Circuits)
- Gross Negligence (4th and 11th Circuits)
- The Modified Rational Basis (9th Circuit)

Chauffeurs v. Terry

In this case, the Supreme Court ruled that union members who sue their labor unions for damages for failing to represent their interests are entitled to have their case heard by a jury.

Avoiding DFR Actions

- Education
- Record Keeping
- Internal Appeals Procedures

Education

All union officials should be familiar with DFR and what it requires

Record Keeping

- Log
- Calendar
- Weekly Calendar
- Employee File

Internal Appeals Procedures

- Affords another opportunity to review the employee's grievance and determine if it is meritorious
- The individual has less chance of convincing a judge or jury that s/he was discriminated against

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