

Form for Member Filing a Charge

Secretary _____ Date _____
Local Union No. _____
(Street Address)
(City, State, Zip Code or City, Province, Mailing Code)

Dear Brother/Sister:

I, _____, a member of Local Union No. _____, IAFF, hereby prefer charges against Brother/Sister _____, a member of IAFF Local Union No. _____, whose last known mailing address is _____, for the following misconduct:

International Association Constitution and By-Laws, Article ____, Section __;

Local Union Constitution or By-Laws, Article ____, Section __;

Other rules or regulations, decisions, or policies (described).

The misconduct occurred on (date or approximate date) at (location or approximate location) , with the last such instance occurring on _____.

The nature of the misconduct is (explain briefly, see generally the IAFF Constitution and By-Laws, Article XV) .

Fraternally yours,

(Charging party's signature)
(Print name)

Charge to be sent by certified mail with return receipt where available, and if not available, then by registered mail to the Secretary with a copy thereof to the accused by the same means. Upon request of the charging party, the Vice President of the District concerned, or his designee, not to include the charging party, shall serve the charges by hand-delivery on the accused. In such cases, the Vice President or designee must testify to the date, time and location of the Service before the local trial board.

Sample Form of Notice of Hearing to Accused

Member _____ Date _____
Local Union No. _____
(Street Address)
(City, State, Zip Code or City, Province, Mailing Code)

Dear Brother/Sister:

You are hereby notified to appear before the Trial Board Local Union No. _____, IAFF, meeting at _____ (street) _____, _____ (city) _____, _____ (state or province) on (day) _____, _____ (date) _____ at _____ (time) _____, to answer charges filed against you by Brother/Sister _____, Local No. _____ for alleged misconduct.

You have received by certified mail with return receipt where available, (and if not available, then by registered mail) or by hand-delivery by the Vice President of your district or his/her designee a copy of the charge filed against you. You may bring witnesses to give evidence in your behalf. You will be accorded the opportunity at the hearing to present any relevant evidence and to cross examine the charging party or any witness appearing on his behalf. You may, if you desire, designate any person, including any member in good standing of the Association (except a member of the Trial Board or other member involved in the proceedings), to act as your representative in the trial proceedings.

Fraternally yours,

Secretary, Local Union
No. _____, IAFF
(Print name and signature)

Certified Mail
Return Receipt Requested
(if appropriate)

Sample Request to Have District Vice President Designated as the Appointing Officer

Harold A. Schaitberger
IAFF General President
1750 New York Ave NW
Washington, DC 20006
FAX: 202-638-5294

Date _____

Re: Charges filed by _____ against _____

Dear General President Schaitberger:

Pursuant to Article XVII, Section 1(A), I hereby request that you designate the District Vice President of the charged party as the appointing officer. I attest, for the following reasons, that the President of Local ____ (charged party's local) and the Secretary/Treasurer of the same Local are directly involved as a party, witness, or otherwise in the conduct giving rise to the charges:

[provide a short, simple statement as to the reasons why both the President and the Secretary-Treasurer (or equivalent executive officer) of the charged party's local are directly involved as a party, witness, or otherwise in the conduct giving rise to the charges]

Fraternally yours,

Party's Signature
(print name and local #)

cc: [Opposing party]
[District Vice President]

Sample Request to Have Trial Board Moved to Neighboring Local or Locals

Harold A. Schaitberger
IAFF General President
1750 New York Ave NW
Washington, DC 20006
FAX: 202-638-5294

Date _____

Re: Charges filed by _____ against _____

Dear General President Schaitberger:

Pursuant to Article XVII, Section 1(A), I hereby request that you designate the District Vice President of the charged party as the appointing officer. I attest, for the following reasons, that the President of Local ____ (charged party's local) and the Secretary/Treasurer of the same Local are directly involved as a party, witness, or otherwise in the conduct giving rise to the charges:

[provide a short, simple statement as to the reasons why both the President and the Secretary-Treasurer (or equivalent executive officer) of the charged party's local are directly involved as a party, witness, or otherwise in the conduct giving rise to the charges]

In addition, it is my contention that all members of Local ____ (the charged party's local) are either directly or indirectly involved as a party, witness, or otherwise in the conduct giving rise to the charges. I therefore also request that the District Vice President select the trial board panel of seven members from a neighboring local or locals, as also provided in Article XVII, Section 1(A).

Fraternally yours,

Party's Signature
(print name and local #)

cc: [Opposing party]
[District Vice President]

FORM NO. 5

Sample Rules for Conduct of Trial Board Hearing

1. The trial will begin at ____ A.M. and will continue day to day until conclusion with the following breaks:

____ P.M. to ____ P.M. for lunch
____ P.M. to ____ P.M. for dinner (if required)
____ P.M. for evening recess
(if required)

2. Pursuant to the request of the accused, the trial board will be open to such members of the IAFF who request to be present. [If the accused does not make such a request, the trial board hearing should be open only to the participants.] At the discretion of the Trial Board, those wishing to observe the proceedings may be required to present identification of membership in the IAFF.

3. Witnesses will be sworn by the reporter [or Chairman].

4. Exhibits introduced at the trial by the Charging Party will be identified as “CPX ____.” Exhibits introduced by the Accused will be identified as “ACX ____.”

5. Briefs or memoranda may be submitted by the parties within ____ days after receipt of the transcript of the trial [briefs are not necessary and are at the discretion of the Trial Board].

6. Strict rules of evidence applicable in civil trials will not apply and either party may introduce oral testimony and documentary evidence so long as it is relevant to the issue or issues in the case.

These rules may be amended, as necessary, during the course of the trial.

Sample Form of Trial Board's Decision

Date _____

Dear Brother/Sister:

Please be advised that a Trial Board of Local Union No. ____, IAFF on the ____(date)__, after due consideration of the evidence produced relating to the charge of misconduct filed against you by Brother/Sister _____ has rendered its decision as follows:

Charge Number 1: *[The Trial Board's decision should state the verdict and the reasons for the verdict, in compliance with the requirements of Article XVII, Section 7 of the International Constitution and By-Laws. The Trial Board should then state the penalty (if any), and the reasons for the penalty. If the penalty is in the form of a fine, state that Article XVIII, Section 6 must be complied with before an appeal can be recognized.]*

Charge Number 2: *[Same as above; repeat for each charge.]*

If the verdict on several charges is based on the same findings of fact and/or reasoning, these facts can be set out just once in the decision.

Fraternally yours,

Chairman, Trial Board Local
Union No. ____ IAFF
(Print name and signature)

Certified Mail
Return Receipt Requested
(if appropriate)