



CALL TO ORDER

The regular Mid-Winter meeting of the General Executive Board of the International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artists and Allied Crafts of the United States, Its Territories and Canada, AFL-CIO, CLC, convened at 10:00 a.m. in the Rhythms Ballroom of the Sheraton New Orleans in New Orleans, Louisiana on Monday, February 12, 2007.

ROLL CALL

General Secretary-Treasurer James B. Wood called the roll and recorded the following members present:

- THOMAS C. SHORT,
International President
- JAMES B. WOOD,
General Secretary-Treasurer
- TIMOTHY F. MAGEE,
First Vice President
- MICHAEL BARNES,
Second Vice President
- J. WALTER CAHILL,
Third Vice President
- THOM DAVIS,
Fourth Vice President
- MATTHEW D. LOEB,
Fifth Vice President/Director of Motion Picture and Television Production
- ANTHONY DE PAULO,
Sixth Vice President/
Co-Director of Stagecraft
- MIMI WOLCH,
Seventh Vice President
- DAMIAN PETTI,
Eighth Vice President
- BRIAN J. LAWLOR,
Ninth Vice President/
Co-Director of Stagecraft
- MICHAEL F. MILLER, JR.,
Tenth Vice President/

International Representative-in-Charge, West Coast Office
JOHN T. BECKMAN, JR.
Eleventh Vice President
DANIEL E. DI TOLLA,
Twelfth Vice President/
Director of Organizing
JOHN FORD,
Thirteenth Vice President

In addition to the members of the Board, those present included Retired International Vice President Rudy N. Napoleone; International Trustees C. Faye Harper George Palazzo and Thomas Cleary, CLC Delegate Donald Ramsden, Assistants to the President Deborah A. Reid and Sean McGuire; Division Director of Trade Show & Display Work William E. Gearns, Jr.; Director of Canadian Affairs John M. Lewis; International Representatives Michael David, Don Gandolini, Jr., Christine Greenlaw, Scott Harbinson, J. Gregory Kasper, Gavin Koon, Joanne M. Sanders, Patricia A. White, Special Representative Ronald G. Kutak; Assistant to the Editor MaryAnn Kelly; New York Office Manager Colleen Paul; Administrative Assistant to President Short Anne Mankos, and Executive Assistant to the General Secretary-Treasurer Barbara Jackson, and IATSE Publicist Katherine Orloff.

Also in attendance at various open sessions of the Board meeting were representative(s) of the following Locals: One, New York-Westchester-Putman Counties, NY; 2, Chicago, IL; 4, Brooklyn and Queens, NY; 8, Camden-Mercer County, NJ/Philadelphia, PA; 11, Boston-Waltham, MA; 16, San Francisco-Marin County-Santa Rosa-Lake Mendocino-Sonoma-Napa County-San

Mateo County-Palo Alto, CA; 22, Washington, D.C.; 26, Grand Rapids-Muskegon-Battle Creek-Kalamazoo-Holland-St. Joseph, MI; 27, Cleveland-Ashtabula-Lorain-Elyria-Sandusky-Erie County, OH; 28, Portland-Salem, OR; 33, Los Angeles-Long Beach-Pasadena-Santa Monica, CA; 38, Detroit-Pontiac-Mt. Clemens-Port Huron, MI; 39, New Orleans, LA; 44, Hollywood, CA; 51, Houston-Galveston, TX; 52, States of New York/New Jersey/Connecticut/Northern Delaware/Greater Pennsylvania; 58, Toronto, ON; 60, Pensacola-Panama City-Destin, FL; 76, San Antonio, TX; 80, Hollywood, CA; 122, San Diego, CA; 129, Hamilton-Brantford, ON; 161, States of New York/New Jersey/Connecticut; 295, Regina-Moose Jaw, SK; 306, New York, NY; 411, Province of Ontario; 478, Southern Mississippi/State of Louisiana; 479, State of Georgia; 480, State of New Mexico; 481, New England Area; 484, State of Texas; 487, Mid-Atlantic States; 491, States of North and South Carolina/Savannah, GA; 492, Northern Mississippi/State of Tennessee; 495, San Diego, CA; 600, United States; 631, Orlando-Cape Canaveral-Cocoa-Melbourne-Lake Buena Vista, FL; 632, Northeastern New Jersey; 665, Honolulu, HI; 667, Eastern Canada; 669, Western Canada; 683, Hollywood, CA; 695, Hollywood, CA; 700, United States, CA; 705, Hollywood, CA; 706, Hollywood, CA; 720, Las Vegas, NV; 728, Hollywood, CA; 729, Hollywood, CA; 751, New York, NY; 752, Philadelphia, PA; 764, New York, NY and Vicinity; 767, Los Angeles, CA; 768, Los Angeles-Long Beach-Pasadena-Santa Monica-Cerritos, CA; 769, Chicago, IL; 784, San Francisco-

Oakland-Berkeley-San Mateo-Cupertino-San Jose-Concord, CA; 790, Hollywood, CA; 798, New York, NY; 799, Philadelphia, PA/Camden, NJ; 800, Los Angeles, CA; 822, Toronto, ON; EE/BPBD 829, New York, NY; USA 829, New York, NY; 840; New Orleans, LA; 843, Orlando, FL; 847, Hollywood, CA; 849, Atlantic Canada; 871, Hollywood, CA; 873, Toronto, ON; 874, Sacramento and Vicinity, CA; 883, Cleveland, OH; 887, Seattle, WA; 891, Vancouver, BC/Yukon Territory, Canada; 892, Hollywood, CA; 927, Atlanta, GA; 18032, (ATPAM) New York, NY and B-192, Hollywood, CA.

HOST LOCALS

At the Opening Session of the Board meeting, representatives of the Host Locals 39, 478 and 840 appeared to officially welcome the Board and members of the Official Family to the City of New Orleans. Brother Phil LoCicero, President of Local 478 acted as spokesperson for the Locals and thanked the Board for the opportunity to host the meeting. Brother LoCicero noted that while the City is still recovering from disastrous effects

of Hurricane Katrina, New Orleans is "open for business and still a place to have a good time!"

President Short reminded those present that the last time the Board meeting was held in New Orleans was the mid-Winter meeting of 1987. He noted that the trustees of the Walsh/Di Tolla/Spivak Foundation had established a separate account for contributions collected from officers and members of the International to be specifically used to benefit members of the I.A. who were impacted by Hurricanes Katrina and Rita. President Short was pleased to note that the contributions totaled \$275,000 and the entire amount has been distributed. In addition, President Short noted that a number of I.A. officers and representatives participated in a bus tour of New Orleans and surrounding areas to get a firsthand view of the devastating results of the hurricane. They were all distressed by what they witnessed. President Short expressed his opinion that neither the City, State or Federal governments have not done nearly enough in the recovery efforts so desperately needed.

President Short also stated that he was pleased to bring the Board meeting to New Orleans so that the International could make some small contribution to aid the City and he looked forward to a successful week of business in this great City.

INTRODUCTIONS

At the opening of the meeting, President Short introduced the following individuals who were new employees of the International since the last Board meeting held in Calgary.

President Short introduced Anne Mankos who recently came on board as his Administrative Assistant. Anne comes with excellent credentials and her background will be extremely helpful in maintaining continuity and professionalism in the President's Office.

International Representative Patricia White of New York Wardrobe Local No. 764 now serves the International in the General Office where she will serve to assist in the Stagecraft Department with a focus on Wardrobe. Representative White has been an officer of her local union for many years and has had a tremendous amount of experience in her craft.

International Representative Christine Greenlaw now serves the International at our Canadian Office in Toronto and works closely with Director of Canadian Affairs John Lewis. Representative Greenlaw is bilingual and has a number of years of experience in the entertainment industry and legal background as well.

IATSE Publicist Katherine Orloff joined the I.A. staff in September 2006 and comes to us as a member of the Publicists of Local No. 600 where she



Pictured here is President of Local 478 Phil LoCicero (center), with representatives from Locals 39, 478 and 840, welcoming all to the city of New Orleans.



also serves as a member of the Executive Board. Katherine is based in Maryland and handles media and public relations for the International.

President Short also took this opportunity to introduce IA staff members Terri Simmons from the West Coast Office and Siobhan Brennan from the General Office in New York who were both attending the Board meeting for the first time.

REPORT OF THE GENERAL SECRETARY-TREASURER

General Secretary-Treasurer James B. Wood appeared before the Board and provided the following report on various activities and operations of his office:

Local Union Supplies For 2007

The process of distributing the 2007 supplies began in late November of 2006. Supplies were sent to those local unions that had filed their first three Quarterly Reports for 2006 and had purchased all of their per capita stamps for 2006.

As of February 9, 2007, all but 28 of our local unions have complied with the reporting and per capita stamp purchase requirements and now have their 2007 supplies.

2007 America@Work Show

Previously known as the Union Industries Show, this year it will be held in Cincinnati, Ohio at the Duke Energy Convention Center from June 15th to 17th. The Union Label and Service Trades Department of the AFL-CIO changed the name of the show last year in an attempt to attract a broader spectrum of visitors and reach beyond only individuals involved in the union movement.

To a certain extent, the new marketing efforts produced the desired

result, although the predominant percentage of attendees continues to be either union members or come from union households. Once again the IA will take a 20' by 60' booth space, which is one of the larger exhibits at the show and we will continue to highlight all of our crafts.

Status Update on the International's New Information System

During the General Executive Board in Calgary it was reported that a computer consulting company had been engaged to thoroughly review the entire computer system in the General Office and propose solutions that would allow the International to better meet its needs of today.

After many weeks of meetings with General Secretary-Treasurer Wood and various other Officers, Representatives and staff members it was decided that the preferred course of action would be to entirely revamp the member/local union database and all of its ancillary programs as well the Roadman Program used by the Stagecraft Department for the issuance and tracking of Pink Contracts.

The project commenced in the fall of 2006 and will be completed by the summer. Upon completion, the applications will be fully integrated and duplicate data entry and redundant data storage will be eliminated. The programs will also possess robust reporting features that will be designed specifically for the IATSE's requirements. Finally, our local unions will be pleased to discover that much of their present communication and reporting with the Finance Department will be done electronically in the future. Everything from member address updates to stamp

and supply orders to the submission of Quarterly Reports will have the capability of being done electronically over a secure connection.

A number of local unions will be canvassed to determine their interest in participating in the beta testing of the system during the summer and early fall and it is expected that all local unions will be able to avail themselves of the new system by the beginning of 2008.

In other Finance Department News,

1. The I.A.T.S.E. continues to receive royalty payments from both the AFL-CIO credit card program and other Union Privilege programs. Since the last General Executive Board meeting in Calgary payments totaling almost \$83,000 have been received.

2. As a result of an ever-increasing number of "rush" requests for consultation responses for INS Visas, over \$352,000 in fees were generated during 2006. In keeping with the procedures established when the INS consultation fees were first introduced in 2003, all of the monies received are deposited into the Defense Fund.

3. As a result of the approval of the General Executive Board, the letterhead of the International has been redesigned and correspondence from our offices will begin to appear on it in early March.

The Board accepted the report as one of progress.

REPORT OF THE BOARD OF TRUSTEES

International Trustees C. Faye Harper, George Palazzo and Thomas Cleary met at the IATSE headquarters in New York City on October 31,



From left to right: International Trustees Thomas Cleary, C. Faye Harper and George Palazzo.

2006 to review the financial affairs of the IATSE. All accounts and books of the Union were reviewed and approved. All records were found to be in order. The Trustees expressed their thanks to General Secretary-Treasurer James Wood and his staff for their cooperation during the review process.

The Board accepted this report.

APPEAL: ROBERT MAGEE V. LOCAL NO 873, TORONTO, ON.

Brother Robert Magee appealed the decision of International President Short denying his appeal from the refusal of the Executive Board of Local 873 to restore his original seniority after his seniority had been changed to the date of his second reinstatement in accordance with the constitution and bylaws of the Local, and after he had been suspended twice in five years for failure to pay union dues. International Vice President Mimi Wolch recused herself and did not participate in either the discussion or vote concerning this appeal.

Brother Magee's appeal and the decision of the International Presi-

dent were reviewed by the General Executive Board and the Board voted unanimously to deny the appeal and uphold the decision of the International President.

President Short did not vote.

APPEAL: THOMAS V. COCHEO V. LOCAL 477, STATE OF FLORIDA

Brother Thomas Cocheo appealed from a ruling by President Short finding that Cocheo's appeal of a decision of Local No. 477's Executive Board denying him certain compensation was untimely. Brother Cocheo sought the compensation for services in 1999 and Local 477 denied his request in 2000. The Executive Board unanimously affirmed President Short's decision finding his appeal to be untimely.

LOCAL NO. 306 NEW YORK – LEAGUE OF AMERICAN THEATRES

Appearing before the General Executive Board was Sister Mim Pollock, Theatrical Business Manager of Local 306, to report on the conclusion of Local 306's negotiations with the League of American Theatres and Producers. Local 306's contract covers

ushers, ticket takers and backstage doormen at the League's New York City Theatres.

President Short assigned International Vice President Anthony DePaulo to assist the Local. A contract was concluded covering a four-year term with wage and benefit improvements and improvements in a number of conditions. Similar contracts were obtained with Live Nation, Disney Theatrical and the Vivian Beaumont Theatre at Lincoln Center.

LOCAL NO. 51 HOUSTON, TX

Appearing before the General Executive Board representing Local 51 were Brothers Butch Lange and Thomas Sprague to report on issues relating to the merger of former Local 65 into Local 51 and the Galveston Opera House. The merger agreement requires preference be given to referrals at the Opera to former members of Local 65. Local 51 contends that the referral agreement applied to members only and raised legal issues. Local 51, on the other hand, alleges it integrated Galveston area members into its Houston referral lists. Local 51 contends that they cannot locate a copy of the merger agreement. The merger was a voluntary merger under Article Eighteen, Section 13 of the International Constitution.

President Short will confirm in writing the merger and the preferential agreement for work in Galveston for members of former Local 65.

AMERICA'S NEXT TOP MODEL

International Vice President Michael F. Miller, Jr., and West Coast Counsel James G. Varga, appeared before the Executive Board to report on the recent developments involving



the television reality competition show called "America's Next Top Model." In 2005, IATSE Local 700 organized the editors working on ANTM. At the time, working alongside the editors were persons whose main function was to compile a story line based on the raw reality footage being produced. From there, the editors took over to edit the product and mold it into a show. In July 2006, the WGAW attempted to organize the persons compiling the story line. The WGAW commenced a recognition strike. The show responded by reorganizing its methods of production to eliminate the story line from the production process. The Local 700 editors continued to edit the show. Faced with competing claims for the work from the editors and the writers, ANTM filed a jurisdiction complaint with the National Labor Relations Board. The WGAW filed unfair labor practices against ANTM. Ultimately the 10k petition was dismissed, the WGAW charges of unfair practices were dismissed, and the show continues to be popular on television. Local 700 members continue to perform all the editing on the show.

Apart from the issues involving post-production on the show, the employees working on the production side of ANTM began seeking organization and in December, 2006 the IATSE filed a petition for an election to represent all the employees in the crafts and classifications within the jurisdiction of the IATSE on the production of the show. An election was conducted by the NLRB, and the IATSE won overwhelmingly and was certified by the Labor Board as the exclusive representative of the production crew.

The parties then met, and successfully negotiated an agreement.

ARCLIGHT CINEMAS

Arclight Theatres is a multi-screen cinema complex in Hollywood, California. It is owned by the Decurion Corporation which also owns the Pacific Theatre chain. In October 2006, Local 150 organized the full-time projectionists who work at the Arclight. The employer refused to stipulate for an election so the matter was set for hearing at Region 31 of the NLRB. At the hearing the employer argued that there was a contract bar to an election because there is a current collective bargaining agreement between Pacific Theatres and IATSE District 2. The Pacific contract covers all the theatres in California owned by Decurion, including the Arclight. However, it was shown that the Pacific contract is essentially a "maintenance of equipment" contract and covers projection work at studio screenings and festivals, but not the day to day operation of Arclight. The Regional Director found that the dedicated Arclight projectionists were not covered by the Pacific contract and that there was no bar to an election. The employer appealed the decision directing the election. The election took place in early January but the ballots were impounded pending the appeal. In February the appeal was denied and the ballots were opened and counted and the IATSE won the election unanimously. Negotiations are currently underway.

ATMOSPHERE STUDIOS

Trade Show Division Director William E. Gearn, Jr. and International Representative Don Gandolini

reported on a design, installation and dismantling company in Salt Lake City called Atmosphere Studios. No collective bargaining agreement existed with Stage Local 99 in Salt Lake City. The International, through International Representative Mark Kiracofe, began negotiations with Atmosphere but the company refused to proceed with good faith bargaining. Local 838 and Local 99 members were ordered off the job and the employer eventually agreed to sign a collective bargaining agreement.

BATTLESTAR GALLACTICA

Director of Canadian Affairs John Lewis, Brother Frank Haddad and Sister Kelly Moon of Local 891 reported to the General Executive Board about Visual Effects Technicians on the television series Battlestar Gallactica (being produced for Space Network by GEP Productions, a production arm of Universal/NBC) shooting in Vancouver who had contacted the IATSE seeking representation. An Application for Certification was filed by Local 891 before the British Columbia Labour Relations Board seeking to represent them. Because of the unique legislative situation in British Columbia with the exclusive jurisdiction of the British Columbia Council and the Master Agreement, a number of legal and procedural issues arose in the certification application drawing the attention and intervention of a number of parties. As a result, settlement discussions concerning the broader issue of representation of visual effects technicians were initiated by the AMPTP and the CFTPA. Positive meetings had been held and were continuing concerning bringing in-house technicians

within the scope of the Master Collective Agreement and addressing the specific concern of the technicians. President Short complimented the representatives involved on what should be a significant breakthrough.

B.C. COUNCIL/READY SENIORITY ARBITRATION DECISION

Director of Canadian Affairs John Lewis, Brother Frank Haddad and Sister Kelly Moon of Local 891, and Brothers Don Ramsden and Brenton Spencer of Local 669 updated the General Executive Board on these developments in the province of British Columbia. Following the release of the "Report of the Industrial Inquiry" by Justice David F. Tysoe in February 2004, the parties were able to agree on four of five of his recommendations. Not surprisingly, no agreement was reached with respect to the recommendation to eliminate seniority-based referral for Teamsters Local 155 and IATSE Local 891, and the provincial government appointed Mr. Vincent Ready as an arbitrator to deal with the issue. At the same time, negotiations that had been taking place for the British Columbia Master Agreement concluded, and in which Local 891 reached a settlement concerning seniority referral. That settlement essentially provided that producers would be able to name hire, failing which the crew would be referred by the Local by seniority and that members could bump non-members. However, as no settlement was reached with Teamsters Local 155, the arbitration proceeded. At the arbitration, Local 891 took the position that it had not reached an agreement in negotiations and supported the position of Team-

sters Local 155 and the retention of seniority referral. In September of 2006, Arbitrator Ready issued his decision (clarified by an additional decision in January of 2007) rejecting the position of Local 891 and essentially imposing the terms of the earlier settlement on both Teamsters Local 155 and Local 891 with respect to seniority referral. The Teamsters sought judicial review to overturn the Ready award. After consulting and receiving a clear direction from its membership, Local 891 determined not to join the Teamsters' appeal. The British Columbia Supreme Court has recently dismissed the Teamsters' application. The Teamsters are now seeking to further appeal to the Court of Appeal but after initially refusing to comply with the Ready award, are now doing so. The British Columbia representatives indicated that the IATSE membership has moved beyond their past disputes over seniority and were now prepared to go forward.

BLASCHUK V. IATSE

Canadian Counsel Bernard Fishbein reported to the General Executive Board on this lawsuit. Tony Blaschuk was a former president of Local 129 who had, in 1999, been found guilty by the local union's Trial Board, fined and barred from standing for election for two election cycles (now passed). Blaschuk's appeal was denied by the International President in 2001, by the General Executive Board in 2002 and by the International Convention in 2005. Blaschuk was now suing both the local and the International in court over alleged defects in the trial Board proceedings. A motion had been initiated to dis-

miss the lawsuit for showing no cause of action. The motion had been adjourned at the request of Blaschuk to give him an opportunity to correct the proceeding. The motion is scheduled for the spring of 2007.

BOBBY, LLC

International Vice President Michael F. Miller, Jr. and West Coast Counsel James G. Varga reported on the resolution of the audit process involving a film called "Bobby." Bobby LLC is a production company of Bold Films, a signatory to a Low Budget Term Agreement. The contract with Bobby LLC was initially a second tier low budget agreement. During production the costs greatly exceeded the second tier. The IATSE initiated the audit, and when it was ultimately learned that costs even exceeded tier three, the wages and conditions of the full Basic Agreement became applicable. Following pursuit of a grievance based upon the audit results, the Producer paid back pay to over 250 members of the crew. The total back pay in wages and IAP contributions totaled over \$500,000. The back-pay checks went to the IA members at the end of December 2006. This is an example of how the audit process can achieve successful results even though it takes time for the process to be completed.

This was noted as a report of progress.

"BOTTOMS UP"

West Coast Counsel James G. Varga and International Vice President Michael F. Miller, Jr. reported on the status of pursuing a grievance against Bottoms Up, LLC. This production company is owned by



Reporting on Canada (left to right): Special Representative Ruth Leggett, Assistant to the President Sean McGuire, International Vice President Damian Petti, Director of Canadian Affairs John Lewis, International Vice President Mimi Wolch, International Representative Christine Greenlaw, CLC Delegate Donald Ramsden and Canadian Counsel Bernard Fishbein.

Cameo FJ Entertainment which is signatory to a term contract. Both companies are owned by an individual named Freddy Braidy. The project agreement for Bottoms Up was a tier one low budget agreement. Production budget was under one million dollars. When the producer reneged on the promise to pay retroactive benefit contributions to date of hire the IATSE filed a grievance. The employer did not respond to the grievance and did not appear at the Step Two hearing at the CSATF. An ex parte award was issued for \$19,000. The Union filed a petition to confirm the award. The employer did appear at court, represented by counsel, and argued that they did not notice the grievance. The Court ruled that despite evidence of notice of Step Two, there was no evidence that Step One ever occurred. The Court made a ruling that the petition would be denied without prejudice to give the Union an opportunity to pursue Step One. This decision was clearly wrong because the award contains a finding that the grievance had been

duly filed and served and the Court, under well settled labor law, should not second guess that finding of fact. Since the money award is for benefits and because the Trust Fund is conducting an audit and the benefits collection will become part of that collection process in lieu of appealing the wrong decision of the Court.

CANADA

International Vice Presidents Mimi Wolch and Damian Petti, CLC Delegate Donald Ramsden, Director of Canadian Affairs John Lewis, Assistant to the President Sean McGuire, International Representative Christine Greenlaw and Canadian Counsel Bernard Fishbein provided a summary of the activities of various Canadian Locals since the last General Executive Board meeting in Calgary in the summer of 2006.

Local 56 (Montreal-Stage) continues to rebound from the setback of the Supreme Court decision in Place des Arts several years ago. A first collective agreement was recently concluded with Salle Jean-Grimaldi, one

of the venues the Local organized when it began to diversify following the Places des Arts decision.

The International assisted Local 63 (Winnipeg-Mixed) in certifying hair and make-up employees of the Manitoba Theatre Company where the Local had represented stagehands for years. The collective agreement has now been renegotiated to cover these employees. International Representative Barney Haines had also assisted the Local in securing a first collective agreement for the construction shop of the Royal Winnipeg Ballet.

Local 212 (Calgary-Stage), after months of difficult bargaining and mediation, has concluded a new collective agreement with the Alberta Theatre Projects. Substantial increases were obtained to help workers keep pace with Alberta's overheated economy.

Local 262 (Montreal-Operators) continues its organizing efforts having been certified for projectionists at Cinema Brossard, a 16-screen theatre operated by Cineplex and for a front-of-house unit at Cinema Cavendish.

The International will assist the Local in negotiations for a first collective agreement.

The successive years of increased motion picture production for Local 295 (Regina-Mixed) has surpassed the Local's ability to handle the administrative burden. International Representative Barney Haines was assigned to investigate and assist the Local. As a result the Local has now hired a full-time bookkeeper, reciprocal payments for retirement benefits have now been made to sister locals, the Local has joined the National Retirement Plan, and audited financial statements are being finalized. Representative Haines will also assist the Local in its outstanding negotiations with Casino Regina which had been dormant for some period of time.

Local 471 (Ottawa-Mixed) overcame some strained relationships with senior management to negotiate a new collective agreement with the National Centre. The new agreement was significant in achieving substantial improvements in both working conditions and jurisdictions for wardrobe, make up and hair employees whose local had been previously merged into Local 471.

The Chrysler Theatre, a major employer of members of Local 580 (Windsor-Mixed) was purchased by St. Clair College. As a result the theatre's employees were no longer covered by the Labour Relations Act, but rather the Colleges Collective Bargaining Act which effectively ended the Local's bargaining rights and collective agreement. However, the Local was able to secure a one-year agreement to service the theatre which will protect its jurisdiction.

The International President has assigned Vice President Dan DiTolla, Assistant to the President Sean McGuire and Special Representative Ruth Leggett to assist Local 680 (Halifax-Mixed) to target and organize venues in its jurisdiction. An application for certification was recently filed for the Metro Centre, a 10,000-seat venue that hosts most of the rock shows in the area. Settlement discussions are currently taking place.

Local 822 (Toronto-Wardrobe, Hairstylists and Make-Up) continues its aggressive organizing efforts. In particular, although its members have worked for the National Ballet for years under pink contracts, there has been no formal collective agreement. This was particularly concerning as the Ballet moved into its new home, The Four Seasons Opera Centre. However, many of the members were content with their existing arrangements per their personal contracts and were unwilling to sign membership cards. When it was made clear that pink contracts could not be continuously relied upon by the members who were not actually touring, support for an application increased, and a certification application was filed with the Ottawa Labour Relations Board. Unfortunately, many members scheduled vacation or were not planning to attend the representation vote thereby endangering the outcome. At the eleventh hour, a voluntary recognition agreement was negotiated with the assistance of Canadian Counsel Bernard Fishbein. Negotiations for an agreement will be conducted by the International and are scheduled for the following week.

Local 828 (Ontario-Scenic Artists) continued its successful organizing

securing a voluntary recognition agreement and negotiating a first collective agreement with the Canadian Opera Company.

Local 849 (Halifax-Motion Picture Technicians), enjoying one of its busiest years in its history, is also enjoying a resurgence in New Brunswick where the work has been sporadic. The Local had secured an agreement with a new production and not only signed new members, but welcomed back lapsed members with the Local and the International waiving outstanding monies provided the members rejoined by a certain date.

Continuing to assume leadership roles in the industries where the IATSE represents workers, the International was a member of the national steering committee of the Cultural Human Resources Council (CHRC) which had conducted a national review of training in the motion picture industry in Canada. Assistant to the President Sean McGuire is participating in another CHRC study developing occupational standards for job categories in legitimate theatre.

The Canadian Labour Congress celebrated its 50th anniversary. A gala event was held in the Grand Hall of the Canadian Museum of Civilization in Ottawa. The IATSE was represented at the event by General Secretary-Treasurer James B. Wood, Assistant to the President Sean McGuire, International Representative Sylvain Bisailon, District 11 Secretary Cheryl Batulis, and representatives from Montreal Locals 56 and 514, and Camera Eastern Canada Local 667.

Director Lewis also provided the Board with a brief overview of the current ACTRA strike in Canada, and



his attempts to facilitate a resolution. Unfortunately, the strike is seriously harming the work opportunities of members in Canada.

The International President complimented the Canadian representatives of the progress of the Canadian Locals.

CARNIVAL CENTER FOR THE PERFORMING ARTS

International Vice President Anthony DePaulo, International Representative J. Gregory Kasper, and General Counsel Steven Spivak appeared before the General Executive Board to give an update on the contract between the International, Local 500 Southern Florida and the Carnival Center for the Performing Arts. The Carnival Center, formerly known as the Miami Performing Arts Center, was reported on at the 2006 summer meeting of the General Executive Board in Calgary.

The Carnival Center has two very substantial resident companies, the Florida Grand Opera and The Miami City Ballet. Both these companies employ members of Local 500 under their own separate contracts, with Local 500 whether employment is inside or outside the Carnival Center. Over and above this employment, the Carnival Center employs regular and freelance stagehands, wardrobe personnel, make-up and hair employees, box office employees and facility technicians all covered by the IATSE and Local 500 collective bargaining agreement. Local 500 has received substantial dues check-off, health and welfare contributions and pension fund contributions by reason of the contract.

The Carnival Center contract was made possible because of President Short's initial relationships and contacts with the management of the Center. The management indicated that it would only bargain for a wall to wall unit if the International represented its employees and after a "card check" by the International and if the International was the bargaining agent on the contract. In addition to President Short's direct participation in the bargaining, Vice President DePaulo, International Representative Kasper and Special International Representative Ira Alper provided the professional, creative insight necessary to achieve an agreement with the facility which is the third largest of its kind in the United States.

COMCAST SPORTSNET MID-ATLANTIC

International Vice President Daniel E. DiTolla gave a report on the negotiation of a contract with Comcast Mid-Atlantic Sportsnet. The company engaged in hard bargaining and the crew decided to strike the broadcast of an event after all of the International's constitutional requirements were followed. The company did manage to get a show on the air that lacked professional quality. An agreement was reached the following day and the unit ratified the agreement. The unit also voted to join Studio Mechanics Local 487. About 100 individuals will join Local 487. Local 487 representatives, Sister Rosemary Levy and Brother David O'Farrell assisted in the campaign.

President Short noted that this was an important contract for the Alliance.

"DEAL OR NO DEAL"

Special Representative Ronald Kutak, West Coast Counsel James G. Varga and Sister Cathy Repola from Editors Guild Local 700 appeared before the General Executive Board to report on the grievance against "Deal or No Deal", a game show on NBC Television. The show is produced by Coconunu Productions, a subsidiary of Endemol. One cycle of the show was done at a location called CBS Facilities, a wall-to-wall rental facility, where some crew but not all work under IATSE contract. Post-production is not covered under the facility agreement and Endemol tried to escape the Coconunu contract by telling the payroll company and editors that this was a separate non-union production by Lock & Key, another Endemol Company. When editors working on the show complained about not getting benefits Endemol confessed that it breached the contract, and began proper payment going forward, but still refused to pay the back pay. The Union filed a grievance. After confirming the hours of work, and finding that five make-up artists were also improperly paid, a settlement was reached for 100% of the outstanding wages and benefits. The total amount for the six editors and five make-up artists was \$22,500. The members received their back paychecks at the end of January 2007.

DOWNEY STUDIOS

General Counsel Steven B. Spivak and West Coast Counsel James G. Varga appeared before the General Executive Board to report on the litigation brought by Downey Studios against Local 44, former Local 44

Business Agent Ronnie Cunningham and the IATSE. The action alleges that Local 44 and Brother Cunningham disparaged the studios by falsely claiming it was unsafe to work there. The studio claims damages due to loss of business. The matter is still in the discovery stage. The IATSE will pursue a motion for summary judgment since there is no evidence of culpability on the part of the International Alliance, and at no time did the IA authorize, ratify or consent to any actives of the Local, which is an autonomous entity.

"EDUCATION OF CHARLIE BANKS"

Counsel Frank Moss reported that this motion picture was shot under the Low Budget Theatrical Agreement based upon representations by a signatory to that agreement, Iridium, Inc., that it was producing the film together with a company called Charlie Banks, LP. When members of the crew failed to receive all of their wages, Iridium took the position that only Charlie Banks, LP was responsible for payment. The IATSE filed for arbitration seeking not just the wages but also additional compensation for fraud, because the production would not be eligible for the Low Budget term agreement unless a term signatory was in fact responsible for the project. The producers then agreed to pay all crew members in full, and more than \$100,000 was paid.

FOLEY ARTISTS

Special Representative Ronald Kutak and West Coast Counsel James G. Varga reported on the status of Foley artists working in Los Angeles. Foley artists create sound effects.

After Editors Guild Local 700 organized the Foley artists, the AMPTP was approached for recognition. During negotiations for the Basic Agreement the producers granted recognition on a non-exclusive basis, because all parties acknowledged that some of the Foley artists were covered under a SAG agreement. While there was no interest in curtailing those SAG persons' stream of benefits, it was intended that all others would become members of the IATSE. Following the granting of recognition, several producers began to threaten that they would lower deal memo wages paid to Foley artists to make up for the cost of their getting benefits. This led a group of Foley artists to file unfair labor practice changes protesting the recognition. However, after the Union showed the Board that the IATSE had over a majority of the Foley artists based on signed authorization cards the Board changes were dismissed and the subsequent appeals were then denied. There are approximately 50 Foley artists now covered by the Basic Agreement.

GEORGE FERN CO.

Trade Show Director William E. Gearns, Jr. appeared before the Board to report on an Atlantic show put on by a George Fern subcontractor but only for part of the work covered by Local 834. The rest of the work went to a non-union company. The IATSE picketed and handbilled.

Negotiations with Louisville Local 17 and Fern started recently and the employer appeared ready to engage in hard bargaining.

In Columbus, Ohio, Local 12 is negotiating with Fern. International

Representative Mark Kiracofe is assisting Local 12 in these negotiations.

Fern seems to be engaged in increasingly hostile bargaining with various IATSE locals throughout the country.

GLOBAL SPECTRUM

International Vice Presidents Michael Barnes, Brian J. Lawlor, and Anthony DePaulo, Trade Show Director William E. Gearns, Jr. and International Representative Patricia White reported on the status of negotiations with Global Spectrum. IATSE members work in 22 different facilities managed by Global Spectrum. These facilities include arenas, stadiums and convention centers. There are stand alone contracts in place with some of the larger locals; however, many of these facilities are located in jurisdictions where there are small Stage and Wardrobe locals. These smaller locals lacked the leverage for dealing with a corporate employer that manages property throughout the United States and Canada. During the past three years the International became the bargaining agent for these smaller locals and will be heading to the bargaining table when negotiations begin in the Spring of 2007. The sixteen Locals will also participate in the bargaining process. Clearly, without the presence of the IATSE as bargaining agent, some of the individual Locals were unable to achieve contracts where facilities were organized, and not able to get in the door of unorganized venues. Now, there is a standard contract that sets uniform wages and conditions and allows for these smaller Locals to participate in the IATSE National Benefit Funds.



The upcoming negotiations will result in a new master contract for the Global Spectrum managed facilities.

HALLMARK HALL OF FAME

International Vice President Matthew D. Loeb presented a report on Hallmark Hall of Fame's production in the jurisdiction of Local 891 Vancouver, British Columbia. The company was getting ready to use ACFC in Vancouver. However, based on a relationship established by the International with the company, the Local was able to get the company to bargain. Local 891 was successful in reaching an agreement with the company that was competitive with ACFC thereby securing employment for IATSE members.

IATSE CANADIAN RETIREMENT PLAN

Director of Canadian Affairs John Lewis and Brother Frank Haddad of Local 891 reported on the continued growth of the Canadian Retirement Plan which was exceeding all expectations. Established at the 2005 Mid-Winter General Executive Board, and sponsored by the International (which has born all start-up costs of the Plan). The Plan has now completed most if not all of its legal documentation and conducted a national meeting of all local administrators in the fall. The Plan is now fully operational and has now 20 Locals participating. In 2006 the assets in the Plan grew from \$7 million to \$27 million, and continued growth is anticipated as more members enroll. The Plan has now negotiated an administration fee with the consultant (which will come from its management fee and therefore be at no cost to the mem-

bers), and will offset the administrative cost of the Plan. As well, the consultant has agreed to further reduce its management fees once average accounts reach a certain level.

President Short complimented Director Lewis and Brother Haddad for their outstanding efforts that have gone a long way to insure that members in Canada would be able to retire in dignity.

MOTION PICTURE AND TELEVISION PRODUCTION DEPARTMENT

International Vice Presidents Matthew D. Loeb and Michael F. Miller, Jr., and International Representatives Scott Harbinson and Gavin Koon gave a report on the activities of the Motion Picture and Television Production Department since the last General Executive Board meeting in the Summer of 2006.

In the Eastern States production has continued to grow due, in part, to tax incentives by the states and also the utilization of the low budget contract. Commercial production is also up on both coasts. Efforts are

being made to capture commercial projects for the Internet.

Low Budget organizing continues to be a focus of the Department.

Local 839, Hollywood, California, ratified a contract negotiated and held by the International with TSL, a company affiliated with Disney.

Over 1500 production companies are currently signed to term agreements. The total number of signatory companies has grown sharply over the last few years.

Outside of the AICP commercial contract which expires this year, all major agreements including the Basic Agreement and its supplements as well as the Area Standards and Low Budget Agreement have been concluded.

ORGANIZING DEPARTMENT

International Vice President Daniel DiTolla presented a report on the Organizing Department since the last General Executive Board meeting.

The Department continues to organize in sports broadcasting. The concentration in New York has been on organizing "away feeds". Volun-

tary recognition agreements were executed with Fox Sports Net representing all FSN owned and operated regional networks and Barry Fialk, Inc. a crewing service. These two agreements succeeded in bringing all professional sports away feeds under contract. ESPN Regional Television also agreed to retain the services of a union signatory crewing service, bringing all the college events they televised under contract. For the first time both home and away crews are working under contract with identical terms and conditions.

Local 762 in Chicago continues its progress towards autonomy. There are currently 53 members, their Constitution and Bylaws have been ratified and elections for officers are underway.

The membership of Local 796 Texas recently ratified a new 5 year contract with Fox Sports Southwest.

Stage Local 78 Birmingham, Alabama organized Red Mountain Productions, a labor contractor and concert promoter.

Stage Local 205 Austin, TX has ratified its first contract with the Austin Ballet.

Of particular note is a recent federal case upholding NLRB jurisdiction over Indian-owned casinos opening the door to organizing these facilities.

STAGECRAFT DEPARTMENT

International Vice Presidents Anthony DePaulo, Brian J. Lawlor, and Michael F. Miller, Jr., and International Representatives Joanne Sanders and Patricia White gave the General Executive Board an updated report on the status of the Stagecraft Department since the last meeting of the Board in Calgary the Summer of 2006.

It was reported that Broadway ticket sales and grosses are at an all-time record high. The holiday season were record setting weeks on Broadway. Radio City Music Hall's Christmas Show and similar holiday shows set records in New York City. New legitimate theatre productions will be opening on Broadway and in numerous cities this Spring.

Traveling attractions are only successful if the tour is a selective highly acclaimed hit. Most road shows have experienced difficult times and several shows are going to modified pink contracts because of financial difficulties due to low grosses.

Contract negotiations with the League of American Theatres and Producers for the pink contract have not officially begun although the contract expired on December 31, 2006. Informal discussions prior to the expiration date broke down and traditional negotiations will be scheduled in the near future.

The League Modified Pink Contract is now used by several League producers for the first time rather than license the show to a non-IA producer.

By invitation from the International, representatives of various Wardrobe locals attended an educational seminar during the week of this Board meeting. The seminar was presented by I.A. Counsel Frank Moss, Jim Varga and Dale Short and was also attended and coordinated by Representatives Patricia White and Joanne Sanders.

Television specials and award shows are done under special agreements. Last year 71 shows operated under this contract.

Amphitheatre negotiations with Live Nation and a number of IATSE Locals took place in the General Office. The negotiations resulted in a new three year contract. All locals impacted directly by the contract had representatives at the negotiations.

ETCP certificates through ESTA continue to be utilized in most venues covered by contracts. Live Nation and IATSE are parties in this endeavor in an effort to secure certified personnel for its facilities. It was noted that by the expiration date of the Live Nation amphitheatre agreement, electricians and riggers will be required to have ETCP certification.

TRADE SHOW AND DISPLAY WORK DEPARTMENT

Division Director William E. Gears, Jr. and International Trustee C. Faye Harper reported on the Division's activities. Local 834 has signed several new collective bargaining agreements and has received a back pay award from an arbitrator in a dispute with Freeman Decorating.

In Orlando, the National Labor Relations Board has ordered an election on a decertification petition filed in 1999 for a multiemployer unit of four exhibitors. President Short stated that he would assign representatives to ensure that the decertification petition will be decisively defeated.

In Columbus, Ohio, a three year agreement has been reached with Freeman Decorating. In Cincinnati, the Global Spectrum contract has proven a success. Most of the trade show contractors working in the facility are Local 5 signatories.

In Davenport, Iowa, Freeman Decorating has signed a term contract modeled on a contract previ-



From the Stagecraft Division (left to right): International Vice President Michael J. Miller, Jr., International Representative Joanne Sanders, International Vice Presidents Anthony DePaulo and Brian Lawlor, and International Representative Patricia White.



Appearing before the Board to report on the recently concluded Low Budget Agreement were International Vice Presidents Thom Davis, Damian Petti, Michael J. Miller, Jr., Matthew D. Loeb, Director of Canadian Affairs John Lewis, International Vice President Mimi Wolch, Counsel James Varga, Dale Short and Bernard Fishbein.

ously agreed to with GES. Division Director Gearns pointed out that once a term contract is reached by a Local with one company, other contractors coming into the community will typically accept that contract as the area standard. Another example of this is Omaha, Nebraska, where a previous agreement with Freeman Decorating has served as the area standards model.

In Salt Lake City, Local 838 has embarked on a successful training program. The Local Union has received praise from its largest show for the talent and efficiency of its members.

In Albuquerque, New Mexico, International Representative Donald Gandolini assisted Local 423 in successfully renegotiating its agreement with GES.

IATSE INTERNATIONAL LOW BUDGET TERM AGREEMENT

International Vice Presidents Matthew D. Loeb, Michael F. Miller, Jr., Damian Petti, Thom Davis and

Mimi Wolch, International Trustee George Palazzo, Mid-West Counsel Dale Short, West Coast Counsel James Varga, and Canadian Counsel Bernard Fishbein gave a report to the Board of the recently concluded Low Budget Agreement covering the United States and Canada.

Numerous companies came to the IATSE seeking a low budget agreement. These companies realized that they could only produce this product with IATSE members and needed a fair contract with IATSE. The last contract expired December 31, 2006. The successor agreement added jurisdiction over Canada so that the contract now covers all of IATSE's jurisdiction. The conditions are uniform throughout the agreement. The contract has "bump-up" provisions if the budget of the production exceeds the contracted limits. The contract has a different benefit structure in Canada for obvious reasons due to the national benefit structure. Approximately 400 pictures will be produced per year under the contract.

IATSE NATIONAL BENEFIT FUNDS

General Secretary-Treasurer James B. Wood, International Vice Presidents Matthew D. Loeb, Brian J. Lawlor, and Daniel E. DiTolla, Assistant to the President Deborah A. Reid and IA National Benefit Funds Counsel Frank Moss reported on the status of the IATSE National Benefit Funds. The Funds moved its offices in December of 2006 to a new, expanded space, which will enable them to hire additional staff and provide better participant services. A dedicated participant Call Center will be rolled out later this year, and in conjunction with a new computer system, the Funds' Web site will be upgraded to permit participants to access detailed information concerning their contribution history and Welfare Fund CAPP Accounts.

The Welfare Fund is switching its dental benefits to Delta Dental, which has three times as many participating dentists as the current provider. A new pharmacy benefit provider, Caremark, has also been retained.

The National Pension Fund is in strong financial shape. All participants and beneficiaries were sent a bonus check of \$316 in December.

IATSE SAFETY DEPARTMENT

President Short read a letter from Brother Tim Wade, advising President Short of his retirement from Local 600 and from the IATSE Safety Committee that he chaired for many years. President Short expressed his deep appreciation to Brother Wade for his dedicated service to Local 600 and the entire Alliance.

President Short then announced his appointment of Local 80 Safety Director Kent Jorgenson to serve as Chair of the IATSE Safety Committee.

IATSE WEB SITE

Assistant to the Editor MaryAnn Kelly appeared before the Board to present an update on the International's Web site, as follows.

The International has recognized the growing importance of the Internet and how local unions interact with their members.

Over one-third of the IA locals have requested that their Web site addresses and/or email addresses be linked to the IA Web site. These listings are located under the "Useful Links for Members" section on the Web site.

In 2006 the IA Web site was awarded the First award for Best Design by International Unions by the International Communication Association Media Awards Contest. MaryAnn Kelly accepted the award in Washington D.C. on November 1, 2006.

The Web site continued the policy of giving our members the opportuni-

ty to register to vote online. This information was located on the site in a section called "Election 2006," a section set to return to our Web site for the 2008 election.

IATSE WEST COAST OFFICE

Appearing before the General Executive Board to report on the West Coast Office were International Vice President Michael F. Miller, Jr., International Representative Gavin Koon, West Coast Counsel James G. Varga and Terri Simmons of the West Coast office administrative staff. In addition to those persons reporting, International Representatives Lyle Trachtenberg, Steve Aredas, Robert Trombetta and Ronald Garcia work in the West Coast office. There is also a clerical staff of four persons. Through the efforts of the West Coast office, the IATSE has a strong presence in California political and labor actions, and in the leadership of the Los Angeles County Federation of Labor and the California Labor Federation.

Grievance activity has increased as more of the contracts are negotiated with IATSE as the signatory. International Representatives work with the local unions in processing grievances and administering the IATSE contracts.

The Safety Committee continues to work closely with the West Coast office. In the past, the staff was fortunate to have the safety expertise of Safety Chair Tim Wade who retired at the end of 2006. The office will continue to enforce safety on the job, working closely with the newly appointed Safety Chair Kent Jorgenson.

Organizing efforts are underway at Disneyland for persons in the

pyrotechnic craft to be covered by an IATSE contract. Also organized is a new four-wall rental facility established by Sony. There are only a limited number of employees on staff at the facility, however, those employees staffing the first aid department and the projectionists will be covered under an IATSE contract.

Organizer Ronald Garcia continues to work in organizing fixed facilities including the successful campaign at the new Deluxe Facility in Valencia, California.

The West Coast office will continue to administer all the project agreements and term contracts that arise in the Los Angeles jurisdiction.

I'M PERFECT, LLC

I'm Perfect, LLC was created for the production of a low budget film. The total project was budgeted at below one million dollars. When the production concluded the final paychecks and contributions were not paid for the IATSE crew. A grievance was pursued and a Step Two hearing was held at the Contract Services Administration Trust Fund. The employer did not appear at the Step Two hearing and an ex parte award in favor of the Union was issued. The award is for wages and benefits totaling \$13,480.69 and contributions of approximately \$10,000. The Union filed a petition to confirm the award. The employer did appear through counsel at the hearing to confirm the award. Prior to the court rendering an opinion the parties entered into a court-approved settlement for the payment of the wages and penalties and agreement for the benefits to be paid through the Trust Fund audit collection process.



Despite the agreement the employer failed to honor the commitment to make payment and pursuant to terms of the settlement the Union is entitled to have judgment entered. The judgment will go against I'm Perfect, LLC, Ross Media, Inc. and TransAtlantic Post, Inc.

INVESTORS GROUP LAWSUIT

International Vice President Damian Petti, Director of Canadian Affairs John Lewis, and Canadian Counsel Bernard Fishbein reported to the General Executive Board on this lawsuit. With the establishment of the Canadian Retirement Plan, many of the Locals began transferring and encouraging their members to transfer to the National Plan. For the most part, consultants or providers for those Locals that had pre-existing plans have acted professionally and cooperated. The one exception was with respect to Local 212, where to prevent the loss of business, the local provider implemented many gratuitous obstacles to the transfer to, and

making slanderous defamatory comments about the National Plan and the IATSE. As a result, the IATSE and Local 212 commenced legal proceedings. The lawsuit was proceeding through preliminary matters.

ISOLATED GROUND

International Representative Gavin Koon reported on the organizing campaign at Isolated Ground. After a very significant showing on signed cards a demand was made for recognition. The Employer refused and the Union filed a petition with the Labor Board. During the campaign and before the election a couple of key things happened:

(1) the Employer hired several new employees, while not calling back some of the union supporters as they were casual employees, and (2) most importantly, the employee in the shop who was most supportive of the union left the company on his own volition. These events definitely limited the Union's efforts to keep the remaining employees in solidarity. By

the time of the election, following a vicious anti-union campaign, the vote turned against the Union. Nonetheless, there are still employees who want union representation at Isolated Ground, and the IATSE has maintained its relationship with these supporters and will look for another election next year.

KENTUCKY RIVER DECISIONS

In September 2006 the National Labor Relations Board, in a 3-2 decision, issued its decision in the cases commonly known as the "Kentucky River" cases. In its decision the Board clarified the statutory definition of supervisor. The emphasis of the decision was expansion of the meaning of assignment of work and direction of work. The Board reiterated that one who exercises independent judgment in the assignment and direction of work, and is held responsible and accountable for the assignment and direction of the work is a supervisor. Supervisors are not protected employees under the NLRA. Nonethe-

less, there is nothing unlawful about reaching an agreement with one employer to include supervisors under coverage of a contract. The IATSE will continue its representation of all workers in all the traditional crafts and classifications within the IATSE jurisdiction.

MOTION PICTURE INDUSTRY PENSION & HEALTH PLANS

International Vice Presidents Matthew D. Loeb, Michael F. Miller, Jr., and John Ford, International Trustee George Palazzo, Business Agents Buffy Snyder, Thomas Cole and Edward Brown, Special Representative Ron Kutak, who all serve as Labor Directors on the Plans, and Plan Counsel Dale Short and Frank Moss, reported on the status of the Motion Picture Industry Plans. The Plans now have investments of more than \$5 billion. The Pension Fund's investments returned over 14% in 2006, putting the Fund in the top 1% of all Taft-Hartley Funds. The Individual Account and Health Plans, which are more conservatively invested, had returns in excess of 12% and 8% respectively.

Hours worked under the Plans increased between 2005 and 2006, but residual payments have been flat, largely because piracy has affected DVD sales and rentals.

The Plans are in good shape and are expected to remain healthy unless there is an actual work stoppage, or de facto strike or lockout because of labor disputes between the studios and the writers and actors.

PUBLICISTS-CANADA (LOCALS 667, 669, 891)

Director of Canadian Affairs John

Lewis and representatives of Locals 669 and 891 reported on an agreement to transfer jurisdiction for publicists from Local 891 (British Columbia Studio Technicians) to Local 669 (Camera, Western Canada). In Eastern Canada, publicists are represented by Local 667 (Camera), but had previously been represented in Western Canada only in British Columbia by Local 891. The publicists' community of interest was likely better served in Local 669, not only because its jurisdiction extended to all of Western Canada but because of the free-flow between Local 667 and Local 669, work opportunities would be available to the publicists throughout Canada.

A formal request for the approval of the transfer of jurisdiction will be presented to the General Executive Board at a later date.

SAW IV/EVOLUTION ENTERTAINMENT/TWISTED PICTURES/LION'S GATE

Director of Canadian Affairs John Lewis, together with representatives of Locals 667, 411 and 873 reported to the General Executive Board about this matter. The Saw film franchise had proven to be enormously successful but unfortunately, the initial films had not been shot completely under agreements with the IATSE. As a result of the recent conclusion of the low budget collective agreement and its application to Canada (also reported on during the meeting), a grievance was initiated and after intense negotiations it was agreed that Saw IV, V and VI would be completely shot with the IATSE pursuant to the IATSE Low Budget Agreement (with some minor variations) and

Evolution Films would also become bound to other IATSE term agreements. The International President had directed the admission of the crew into membership in Local 873 and noted that he will attend a membership meeting of the Local to explain the wisdom and necessity of such action. With the current low level of employment in the Toronto area (particularly for Local 873), this was not only a significant accomplishment, but could provide (in the short term at least) a major portion of the Local's work.

TCT LOGISTICS

Canadian Counsel Bernard Fishbein reported to the General Executive Board on the recent Supreme Court of Canada decision in TCT Logistics. In a forceful majority decision the Supreme Court of Canada affirmed rights of unions in bankruptcy situations. In particular the Court strongly disapproved the practice of Bankruptcy courts appointing receivers ex parte (with no notice to affected union), determining that no successorship could be found against trustees continuing to operate the bankruptcy business (for which they had no authority and were within the exclusive jurisdiction of labour boards) or exercising any higher threshold for unions (as opposed to any other creditors) in granting permission to commence proceedings (including labour board proceedings) against the bankrupt or the receiver. Hopefully this decision will make it easier for unions to protect the interests of their members in bankruptcies.

2010 WINTER OLYMPICS

Director of Canadian Affairs John



Present at the Appearance Table for the report of the Motion Picture Industry Pension and Health Plans were International Vice Presidents Matthew D. Loeb, Michael F. Miller, Jr., and John Ford, International Trustee George Palazzo, Business Agents Buffy Snyder, Thomas Cole and Edward Brown, Special Representative Ron Kutak, who all serve as Labor Directors on the Plans, and Plan Counsel Dale Short and Frank Moss.



M. Lewis reported to the General Executive Board on the continuing efforts to prepare and secure work for IATSE members at the 2010 Winter Olympics that will take place in the cities of Whistler and Vancouver, British Columbia. A number of meetings have been held with the I.A. Locals that will be involved in supplying members and others to plan with respect to the venues and the broadcasting of the events.

LOCAL NO. 44, HOLLYWOOD, CA

General Counsel Steven B. Spivak and West Coast Counsel James G. Varga appeared before the General Executive Board to report on unfair labor practice charges that were filed against IATSE Local 44 and the International. The charges alleged discrimination in the administration of Local 44's referral system. The same individuals filing the charges had filed similar charges over five years ago. They were dismissed then because of lack of merit. However, when there was a recent D.O.L. investigation involving an individual at Local 44, and the charging parties used that investigation to refuel their claims. However, despite the D.O.L. investigation, there in fact was no new evidence to support the charges. The charges were dismissed by the Regional Director because they simply alleged old information and these claims were filed beyond the six month statute of limitations. Appeals were denied by the National Labor Relations Board.

An additional issue in this case affirmed the policy of the IATSE, as confirmed in the Ninth Circuit case called Laughon v. IATSE, that Local Unions are not the agent of the Inter-

national Alliance. For this reason, too, the charges against the IATSE were dismissed.

**LOCAL NO. 60,
PENSACOLA, FL - SMG**

International Vice President Brian J. Lawlor reported on the status of Local 60 negotiated with SMG in Pensacola. Problems existed in filling the calls. Eventually an agreement was reached that provided for wage increases that are sufficient to allow the local to fill the calls. Local 60 should be in a position to return to autonomous status shortly.

LOCAL NO. 143, ST. LOUIS, MO

Local 143, St. Louis, Missouri, submitted a request to President Short seeking a change in its title so as to add the words "Computer Technicians" to its existing title of "Motion Picture Projectionists, Operators and Video Technicians".

The General Executive Board voted to grant the change.

LOCAL NO. 199, HAZEL PARK, MI

Local 199 submitted a request to the International seeking a title change to "Motion Picture Projectionists, Audio Visual Engineers and Computer Technicians".

The General Executive Board voted to grant the title change as requested.

LOCAL NO. 251, MADISON, WI

International Representatives Joanne Sanders and Michael David gave a report to the Board on their assignment to organize the "Overture," a cultural center in Madison Wisconsin. The "Overture" is a public center governed by the Public Employment Relations Board. A rep-

resentation petition was filed by Local 251 and a hearing was held. The city of Madison turned out to be the employer, not the "Overture," so a new petition was filed and an election will be scheduled in the next couple of months. Approximately 90 people will be qualified to vote in the representation election. Local 251, with the assistance of Representatives Sanders and David, are conducting a campaign which will intensify as the election date nears.

**LOCAL NO. 442,
SANTA BARBARA, CA**

International Vice President Michael F. Miller, Jr. gave a report on a dispute between The Nederlander Organization and Local 442 involving the Wardrobe Department at Santa Barbara Bowl. A grievance was filed because work was being inconsistently assigned to Wardrobe employees. International Representative Robert A. Trombetta was assigned to assist the Local and worked out an overall settlement with the Nederlander Organization. In resolution of the grievance the recognition of Wardrobe personnel was confirmed and expressly included in the contract. This clarified the future of work assignments under the contract and will preserve the integrity of the Wardrobe craft.

**LOCAL NO. 514,
QUEBEC, CANADA**

International Vice President Matthew D. Loeb, Director of Canadian Affairs John Lewis, Special Representative Lynn Twentyman and Assistant to the President Sean McGuire reported to the General Executive Board on the continuing IATSE

organizing activities in Quebec with Local 514 and further developments since last reported at the Calgary General Executive Board meeting.

In the summer of 2006 Locals 514 and 667 had applied to be certified on "Spiderwick" a Paramount production shooting in Montreal. Not surprisingly AQTIS and APFTQ (the Quebec Producers Association) challenged the application asserting the Status of the Artists Legislation should apply and not the Quebec Labor Code. While the certifications were bogged down in legal proceedings, IATSE consented to a change in the terms and conditions of employment allowing the employees to sign written directions directing health and retirement benefits that would otherwise be provided under an IATSE collective agreement. Spiderwick wrapped at the beginning of January 2007 without the certification proceedings being concluded. In fact, AQTIS had filed to have CRAAP (the Status of the Artist Commission) to appoint a mediator, which appointment was being challenged in court both by Paramount and the IATSE.

A similar pattern occurred (or should occur) when Local 514 applied to be certified for "Journey to the Center of the Earth" produced by Walden Media later in the summer of 2006, "Dark Castle" in December 2006, and "Dead Zone," (a Lionsgate television series) in January 2007.

Meanwhile, APFTQ has applied attempting to have the Quebec Superior Court declare that the Quebec Labour Board has no jurisdiction to deal with certification in the motion picture industry. IATSE will oppose this application together with member companies of AMPPT.

Other producers who have previously shot in Montreal, such as Lakeshore Entertainment, have indicated that they would no longer shoot in Montreal until AQTIS guaranteed that AQTIS would no longer embroil producers in endless litigation.

On the set construction front (which had not been done directly by producers themselves in Quebec previously), IATSE had reached a collective agreement with FADA and had certified and was close to concluding a collective agreement with Morticus, two set construction firms. Another company, Brochu, was having discussions with Local 514.

As well discussions continued with AQTIS itself in the hope of reaching a settlement between the two unions themselves. After mediation by Senator Francis Fox, in December IATSE again made a proposal to AQTIS for a global resolution. Notwithstanding a commitment by AQTIS to put the proposal to a vote of its membership, AQTIS had neither done so nor formally responded to the IATSE proposal.

International President Short commended the representatives for their efforts in Quebec and reconfirmed the commitment of the IATSE, having been invited by workers seeking representation, was in Quebec to stay until effective representation and collective agreements had been achieved — a message he had already conveyed to intermediaries of the Quebec government seeking an end to the dispute.

**LOCAL NOS. 600
AND 683, HOLLYWOOD, CA**

International Representatives Gavin Koon, Executive Director Local 600 Bruce Doering and Secretary-Treasurer Local 683 Marvin Davis

appeared before the General Executive Board to report on the jurisdictional dispute regarding still photographers utilizing digital cameras. The jurisdiction became blurred in advent of technology that allows still photographer to essentially digitally develop the product. With the assistance of the International the parties were able to develop an understanding between those two locals for enforcing jurisdiction in this craft.

LOCAL NO. 631, ORLANDO, FL

International Vice President Brian J. Lawlor and Sister Kimberly Bowles of Local 631 appeared before the General Executive Board to report on an organizing effort initiated by Local 631 that resulted in a RC petition and an NLRB election with the audio visual employer, Presentation Services Audio Visual (PSAV.) The campaign for the fourteen riggers employed at the Gaylord Palms Florida was initiated after the employer had previously negotiated with the Local for five hotels on Walt Disney World property, which they have been servicing for the past year. The Local won the election and is currently negotiating with the employer. Local 631 has offered membership to the affected employees absent initiation fees.

LOCAL NO. 665, HONOLULU, HI

Division Director William E. Gears, Jr., International Trustee C. Faye Harper and Brothers Allan Omo and Donovan Ahuna representing Local 665, reported on GES' dealings with the Local in Honolulu. Attempts were made to have GES use ATCO, a local contractor that Local 665 has had a good relationship with. To date, GES has not agreed to utilize



ATCO and has continued to use another company with no contractual relationship with Local 665.

Local 665 has also tried to gain a contract with the City of Honolulu. Local 665 has given the City the name of a contractor in order to convince it to use Local 665 represented employees. The City is reluctant to deal directly with Local 665.

**LOCAL NO. 699,
JOHNSON CITY, TN**

International Vice President Brian J. Lawlor gave a report on behalf of International Representative Scott Haskell regarding Representative Haskell's assignment to investigate financial irregularities in Local 699. Local 699 has not contracts and filed no U.S. Labor Department reports in years. Local 699 tried the officer involved in the irregularities and expelled him. The U.S. Department of Labor is also involved in an investigation.

**LOCAL NO. 822, TORONTO, ON
Re: Blue Man Group**

Director of Canadian Affairs John Lewis and Sisters Cheryl Batulis (Business Agent Local 822) and Heather Clarkson (President Local 822) reported to the General Executive Board on the resolution of their matter.

As previously reported to the Board, approximately two years ago Live Nation (then Clear Channel) purchased and extensively renovated a theatre in Toronto to present an open ended production of Blue Man Group. Like its other productions elsewhere, Blue Man Group refused to sign agreements with any of the entertainment unions, who commenced a boycott

of Blue Man Group. Since, unlike the other entertainment unions, Local 822 had a citywide collective agreement with Live Nation, the Local filed an application at the Ontario Labour Relations Board alleging that Blue Man Group and Live Nation constituted a single employer for labor relations purposes, at least insofar as its Toronto production was concerned, and therefore the local's citywide collective agreement with Live Nation ought to apply to the production. After failing to have the application dismissed on a preliminary basis and being compelled to disclose financial information, Blue Man Group and Local 822 began settlement discussions. Ultimately, a creative resolution was achieved whereby the contract for wardrobe personnel with NASCO, the non-union supplier of wardrobe personnel was terminated, wardrobe personnel were employed by Live Nation and became members of Local 822 (which supplied any further wardrobe personnel) in accordance with agreed upon terms and conditions. Unfortunately, shortly after the settlement, Blue Man Group announced it was closing the Toronto production because of disappointing attendance. However, for the last months of the production Local 822 was the only unionized presence at Blue Man Group.

LOCAL NO. 834, ATLANTA, GA

Division Director William E. Gearns, Jr. and International Trustee C. Faye Harper reported on a number of grievances and disputes between Local 834 and Shepherd. Representatives Gearns and Harper were successful in

arranging meetings in an effort to settle these differences and Shepherd and Local 834 have now substantially improved their relationship.

**LOCAL NO. 873, TORONTO, ON
Re: Majors Agreement**

International Vice Presidents Matthew D. Loeb and Mimi Wolch, Director of Canadian Affairs John Lewis, and Brothers Bob Hall (President of Local 873) and Glen Goodchild (Vice President of Local 873) reported to the General Executive Board on their negotiations with the major producers ("the Majors").

Local 873 had entered into its first term agreement with the major Hollywood studios for television which expired in March 2005. Meanwhile, the Local continued with individual "one off" agreements for feature production. The renewal negotiations dealt with expanding the term agreement to cover both television and features. The negotiations were long and difficult and delayed by negotiations going on elsewhere (particularly British Columbia) that would impact many of the issues in these negotiations. As well, at the same time, there was a significant downturn in work in Toronto which only exacerbated the difficult issues that needed to be addressed in the negotiations. Director Lewis and Vice President Loeb had been assigned to assist the Local bargaining team and were thanked for their insight and expertise. Ultimately, an agreement was reached for a single term agreement covering both television and feature production that increased wages and benefits contributions, provided tiered budget levels, addressed local issues (such as wage disparity for the transportation

department) and provided that weekly hires would be name hired but daily hires (on higher budget production only) would continue to be referred by seniority. The agreement was ratified by 63% of the Local's membership at a ratification meeting.

International President Short complimented the Local bargaining committee on some of the difficult choices that had to be made, but that such a term agreement would undoubtedly prove a significant step in securing more work for the members of the

Local and reducing the threat of competing unions.

ADJOURNMENT

Having completed all business properly brought before it, the Board meeting was adjourned at 10:45 a.m.

REPORT OF THE DEFENSE FUND COMMITTEE

SHERATON NEW ORLEANS • NEW ORLEANS, LOUISIANA • FEBRUARY 13, 2007

In conjunction with the Mid-Winter Meeting of the General Executive Board, the Defense Fund Committee met at 12:00 p.m. on February 13, 2007 in the Rhythm Meeting Room of the Sheraton New Orleans in New Orleans, Louisiana.

Present at the meeting were Committee Members: International President Thomas C. Short; Vice Presidents Timothy Magee, J. Walter Cahill, Matthew D. Loeb, Mimi Wolch; as well as General Secretary-Treasurer James B. Wood, Director of Canadian Affairs John Lewis; General Counsel Steven B. Spivak, Assistant General Counsel Frank Moss, Canadian Counsel Bernard Fishbein, Mid-West Counsel Dale Short and West Coast Counsel Jim Varga.

Appearances were made before the Committee by Business Agent Faye Harper on behalf of Local No. 834-Atlanta; Business Agent Lynne Twentymen on behalf of Local No. 161-New York/NJ/CT; Business Agent Cheryl Batulis and President Heather Clarkson on behalf of Local No. 822- Toronto, and President Tom Sprague and Business Representative Butch Lange on behalf of Local No. 51-Houston/Galveston.

After careful consideration of the documentation brought before it, the Committee authorized the following disbursements:

Local No. 834- Atlanta, GA	\$ 3,875.00	Legal
Local No. 822- Toronto, ON	4,597.91	Legal
Local No. 353- Port Jervis, NY	4,047.31	Legal
Local No. 680- Halifax/Dartmouth	3,629.76	Legal
Local No. 757- Detroit, MI	10,000.00	Legal
TOTAL	\$26,149.98	

Submissions were also received from other local unions, which required clarification or did not fall within the scope of the Defense Fund as set forth in Article Fourteen, Section 6 of the International Constitution, and such local unions have been notified.

The meeting adjourned at 1:20 p.m.

Respectfully submitted,
s/Thomas C. Short
s/Timothy F. Magee
s/J. Walter Cahill
s/Matthew D. Loeb
s/Mimi Wolch