



#### CALL TO ORDER

The regular Mid-Summer 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 Pavillion Room of the Westin Gaslamp Quarter in San Diego, California on Monday, July 28, 2008.

#### 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  
ANTHONY DE PAULO,  
Sixth Vice President  
DAMIAN PETTI,  
Seventh Vice President  
BRIAN J. LAWLOR,  
Eighth Vice President  
MICHAEL F. MILLER, JR.  
Ninth Vice President  
JOHN T. BECKMAN, JR.  
Tenth Vice President  
DANIEL E. DI TOLLA,  
Eleventh Vice President  
JOHN FORD,  
Twelfth Vice President

JOHN M. LEWIS,

Thirteenth Vice President

In addition to the members of the Board, those present included General Secretary-Treasurer Emeritus Michael W. Proscia, Retired Officers Jean Fox, Daniel E. Kerins, Nick Long, Rudy N. Napoleone, Michael J. Sullivan, and C. Gus Bottas; International Trustees C. Faye Harper, George Palazzo, and Thomas Cleary; CLC Delegate Don Ramsden; Assistants to the President Deborah A. Reid and Sean McGuire; Division Director of Trade Show & Display Work William E. Gearn, Jr.; International Representatives Ben Adams, Ira Alper, Steve Aredas, Michael David, Sandra England, Don Gandolini, Jr., Ron Garcia, Barny Haines, Scott Harbinson, Scott Haskell, Greg Kasper, Mark Kiracofe, Gavin Koon, Daniel Mahoney, Julia Neville, Joanne M. Sanders, Paul Taylor, Lyle Trachtenberg, Robert A. Trombetta, Patricia A. White and Joel Youngerman; Special Representatives Ronald G. Kutak, Rick Perotto, Joseph Short, James Taylor; IATSE Publicist Katherine Orloff; Assistant to the Editor MaryAnn Kelly; New York Office Manager Colleen Paul; Executive Assistant to President Short Anne Mankos; Executive Assistant to General Secretary-Treasurer Wood Barbara Jackson, West Coast Office staff Terri Simmons and Canadian Office staff Krista Hurdon.

Also in attendance at various open sessions of the Board meeting were representative(s) of the following Locals: One, New York-Westchester-Putnam Counties, NY; 2, Chicago, IL; 3, Pittsburgh, PA; 4, Brooklyn and Queens, NY; 5, Cincin-

nati-Hamilton-Fairfield-Springdale-Oxford, OH; 7, Denver-Boulder, CO; 8, Philadelphia, PA/Camden-Mercer County, NJ; 11, Boston-Waltham, MA; 13, Minneapolis-St. Cloud-Little Falls-Brainerd-St. John's University-College of St. Benedict-St. Paul, MN; 14, Albany-Schenectady-Amsterdam, NY; 15, Seattle-Everett-Olympia-Tacoma-Bremerton-Bellingham-Anacortes-Mt. Vernon-Sedro Wooley-Port Angeles-Burlingham-Concrete-Stanwood-Marysville-Longview, WA; 16, San Francisco-Marin County-Santa Rosa-Lake Mendocino-Sonoma-Napa County-San Mateo County-Palo Alto, CA; 21, Newark, NJ; 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; 44, Hollywood, CA; 51, Houston-Galveston, TX; 52, States of New York/New Jersey/Connecticut/Northern Delaware/Greater Pennsylvania; 58, Toronto, ON; 59, Jersey City, NJ; 80, Hollywood, CA; 84, Hartford-Northern Connecticut, CT; 107, Alameda County-Oakland-Berkley-Contra Costa City-Solano City-Richmond, CA; 110, Chicago, IL; 115, Jacksonville-Tallahassee-Gainesville, FL; 118, Vancouver, BC; 122, San Diego, CA; 127, Dallas-Grand Prairie-McKinney, TX; 129, Hamilton-Brantford, ON; 134, San Joes-Santa Clara, CA; 158, Fresno, CA; 161, States of New York/New Jersey/Connecticut; 168, Vancouver Island, BC; 209, State of Ohio; 212, Calgary, AB; 251, Madison-Columbia-Sauk County, WI; 274, Lansing-East Lansing-Jackson-Saginaw-N. Central Michigan- Traverse



Representatives of Host Locals 122, 297, 495, 600, 700, 795 and 905 welcomed the Official Family to the city of San Diego.

City-Cadillac-Alpena, MI; 306, New York, NY; 311, Middletown-Newburgh-Kingston, NY; 363, Lake Tahoe-Reno, NV; 411, Province of Ontario; 470, Oshkosh-Fond Du Lac-Green Bay-Wisconsin Rapids-Marshfield-Wausau, WI; 476, Chicago, IL; 477, State of Florida; 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 Area; 488, Pacific Northwest; 490, State of Minnesota; 491, States of North and South Carolina/Savannah, GA; 492, State of Tennessee/Northern Mississippi; 495, San Diego, CA; 504, Orange County-Parts of Corona, CA; 514, Province of Quebec; 536, Redbank-Freehold, NJ; 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; 702, New York, NY; 705, Hollywood, CA; 706, Hollywood, CA; 720, Las Vegas; 728, Hollywood, CA; 729, Hollywood, CA; 751, New York, NY; 764, New York, NY and Vicinity; 767, Los Angeles, CA; 772, Washing-

ton, DC; 780, Chicago, IL; 784, San Francisco-Oakland-Berkeley-San Mateo-Cupertino-San Jose-Concord, CA; 790, Hollywood, CA; 795, San Diego, CA; 798, New York, NY; 800, Los Angeles, CA; 822, Toronto, ON; EE/BPBD 829, New York, NY; USA 829, United States; 835, Orlando, FL; 838, Salt Lake City, UT/Southern Idaho; 839, Hollywood, CA; 843, Orlando, FL; 847, Hollywood, CA; 849, Atlantic Canada; 856, Province of Manitoba; 863, Montreal, QC; 864, Cincinnati, OH; 869, Albuquerque, NM; 871, Hollywood, CA; 873, Toronto, ON; 883, Cleveland, OH; 887, Seattle, WA; 891, Vancouver, BC/Yukon Territory, Canada; 892, Hollywood, CA; 905, San Diego, CA; 927, Atlanta, GA; 18032, (ATPAM) New York, NY; B-18, San Francisco, CA and B-27, Cleveland, OH.

#### HOST LOCALS

The Host Locals for this meeting of the General Executive Board were Locals 122, 297, 495, 600, 700, 795 and 905. Prior to the official opening of the Board meeting, the host locals welcomed the entire Official Family at a breakfast.

When the Board meeting was officially called to order on Monday

morning, July 28, Representatives of each of the Locals appeared before the Board, including: Brothers Carlos Cota and Robert Dougherty of Local 122, Brother Jack Sheperd of Local 495, Brothers Steven Poster and David Behm of Local 600, Sister Cathy Repola and Brother Paul Moore of Local 700, Brother Darin Haggard of Local 795, and Sister Robin Lemon of Local 905. On behalf of all Locals, Brother Carlos Cota extended a warm welcome to the Board and all attendees of the meeting. He offered the Locals' assistance throughout the week that might make the Board's visit more enjoyable.

On behalf of the Board, President Short expressed his deep appreciation to the host locals and stated that the last time the Board held its meeting in San Diego was in 1981. President Short was glad to return to this beautiful City and looked forward to a successful and enjoyable week.

#### INTRODUCTIONS

President Short introduced to the Board newly appointed International Representative Paul Taylor who recently joined the International at the IA's Canadian Office in Toronto. Representative Taylor has extensive



background in labour relations. Representative Taylor is also an attorney and is bilingual which continually proves to be a tremendous asset to the International.

In addition, President Short introduced Luke Crawley who traveled from London to be the IATSE's guest at the Board meeting. Luke serves as an Assistant General Secretary of BECTU and he expressed his appreciation for the invitation to attend the meeting and his gratitude for the hospitality demonstrated by the Board and other meeting attendees.

#### **REPORT OF THE GENERAL SECRETARY-TREASURER**

General Secretary-Treasurer James B. Wood presented a report to the Board on the following:

##### ***Update On The New Information System For The International***

As has been previously reported to the General Executive Board, the International has been involved in a major upgrade to the information systems used in the General Office. The portion of the system that will be available to local unions to interact with the Finance Department was demonstrated to those in attendance at the mid-winter General Executive Board meeting held this past January in Orlando, Florida.

Although the actual implementation of the system took slightly longer than originally anticipated, such delays are not unusual for a project of this magnitude. The portion of the system for use by the Finance Department was brought online in April of this year and recently was made available to local unions that had placed themselves on a waiting list.

At the present time there are 40

local unions that have reserved their space in line and as of this meeting, fifteen local unions have completed their training and are now able to access the new system. The remaining 25 local unions should be online by the end of the summer, at which point additional local unions will be granted access to the new system.

General Secretary-Treasurer Wood took a moment to thank the officers of Locals 4, 52, 354, 495, 534, 600, 667, 728, 729, 784 and 892 for their assistance during the beta testing period of the project development.

Access to the membership database has also been granted to all International Officers and Representatives. No longer will representatives working in the field need to submit names to the General Office to have their status verified. Now, on a 24/7 basis, representatives involved in organizing campaigns will be able to get immediate answers relating to the status of individuals working on a production.

The final portions of some additional programming for the Finance Department are still being finalized and it is expected that this work should be completed by the end of September. At this point the project will begin its second phase as the portion related to the Roadman program for the Stagecraft Department receives a substantial upgrade.

##### ***Audited Financial Statements***

For the past number of weeks the auditors have been in the General Office performing the April 30, 2008 year-end audit. The final audited statements have now been completed and as has been past practice, these financial statements will be published

in the Third Quarter issue of the Official Bulletin.

The General Fund now has Total Assets of over \$38 million, which represents a 68% increase over the past six years. This figure only includes the depreciated value of the original purchase prices of the International's buildings in California and Canada, not today's market value. These figures also stand in stark contrast with the numbers reported in the feature article of the most recent Official Bulletin where it was indicated that the Alliance had total assets of approximately \$2.7 million when President Short became International President.

##### ***ULLICO Turnaround***

Since the 2003 management shakeup, the General Executive Board has been kept apprised of the status of Union Labor Life Insurance Company (ULLICO). The company continues to make steady progress and in May announced a dividend of \$0.50 per share.

These results are a vast improvement from the financial crisis that ULLICO found itself in only five short years ago. The International's support of the new Board of Directors that were installed at that time and the decision to be one of many investors that provided increased liquidity to the company in its time of need has proved to be the correct course of action.

##### ***The Union Label and Service Trades Department, AFL-CIO***

As with many departments within the AFL-CIO, the Union Label Department has been faced with many financial challenges over the past number of years. The Department had become somewhat stagnated and was primarily engaged in producing

the America@Work show every year. This singular focus was not allowing the Department to fulfill its constitutional purpose, which is to promote union made products and services to the general public.

Approximately one year ago, the Executive Board of the Department, of which General Secretary-Treasurer Wood is a Vice President, formed a "Committee of the Future" to develop a plan of action to revitalize the Department. President Short assigned General Secretary-Treasurer Wood to be one of the five individuals that comprised the committee.

After a number of meetings and numerous document drafts, the Committee presented its findings to the full Executive Board of the Union Label Department in February of this year. The Board adopted the entire document, which included a recommendation to hire a new President for the Department, Richard Klein formerly the head of communications for the Glass, Molders, Pottery International Union.

One of the key recommendations is to not produce the America@Work show in 2009 and instead implement a number of new communication strategies including the development of a Web site, use of email lists, blog sites and traditional editorial communication. The goal is to focus on options that can potentially reach the entire population of the United States as opposed to only communicating with 30,000 individuals within a specific city.

The new strategies do not focus on the America@Work show being the public face of the Department and it is quite possible that this year's show which was held at Cobo Hall in Detroit, Michigan from Friday May 16 to Sunday

May 18 may be the last show.

General Secretary-Treasurer Wood expressed his thanks to those members in Detroit that worked on this year's show and thanked International Vice President Tim Magee and Retired International Representative Tom Kiousis for their support in making sure everything went smoothly. Finally, thanks were expressed to Keith Marshall for his many years of service to the International for being in charge of our exhibit at the show.

##### ***Department Of Labor Form LM-30***

The continuing process of ratcheting up the reporting requirements on organized labor continues at the DOL. Recent proposed changes to LM-30 filing requirements included amongst other things the potential treatment of stewards who perform dispute resolution within part of the work day without loss of pay to be required to file Form LM-30's and the requirement of bona fide loans or mortgages to be reported on the Form LM-30.

The changes would apply to any forms filed in 2009 (therefore applicable to 2008). The AFL-CIO filed suit on January 14 in the U.S. District Court for the District of Columbia challenging the secretary of labor's authority to issue the revised LM-30 without congressional approval. It is expected that a decision might be released in the last quarter of 2008.

##### ***I.A.T.S.E. Building Fund***

During the 2003 mid-Summer General Executive Board meeting held in New York City, the Board approved the establishment of a Building Fund in accordance with Article Fourteen, Section 3(e) of the International Constitution and

Bylaws. This was accomplished by creating a designated line item within the General Fund. During subsequent General Executive Board meetings the Board has approved additional allocations and as of our year end April 30 the balance within the General Fund designated towards a future building purchase for the General Office stands at \$1,665,619.

As was earlier reported, the financial position of the International continues to be positive and General Secretary-Treasurer Wood recommended that the General Executive Board designate a further \$500,000 within the General Fund to the building reserve.

In other Finance Department News,

1. The International continues to receive royalty payments from both the AFL-CIO credit card program and other Union Privilege programs. For the year ending April 30, 2008 we received royalty payments that totaled \$178,911.
2. As a result of an ever-increasing number of "rush" requests for consultation responses for INS Visas, over \$435,000 in fees were generated during the fiscal year ending April 30, 2008. In keeping with the procedures established when the INS consultation fees were first introduced in 2003, all of these monies received are deposited into the Defense Fund.
3. Finally, at the end of 2007, the Official Bulletin and the International's Web site were selected as winners in the Union Privilege Annual Promotion Contest and the International was presented with a check in the amount of \$625.



The Board accepted the report and General Secretary-Treasurer Wood's recommendation to designate \$500,000 to the Building Fund.

#### **REPORT OF THE BOARD OF TRUSTEES**

International Trustees C. Faye Harper, George Palazzo and Thomas Cleary appeared before the Board and presented their report on the audit conducted by them in June 2008, in accordance with the International Constitution. The report covered the period of October 2007 through May 2008.

The Board accepted the report.

#### **APPEAL OF JERI BAKER V. LOCAL NO. 706, LOS ANGELES, CA**

The appeal of Sister Jeri Baker, member of Local 706, was read to the Board. A review of the Sister Baker's appeal indicated that in April 2006, Local 706 received several anonymous telephone calls stating that Sister Baker was using a fraudulent cosmetology license. The Local conducted an investigation and Sister Baker admitted that the original documentation she provided to the Local and to contract services in 1993 had been forged. Sister Baker was working on "Spiderman 3" at the time of the investigation and was permitted to finish work on the film under the condition that she not accept any other union work until she obtained a current cosmetology license. According to the Local, Sister Baker accepted that condition. After the agreement was made, the Local had no communication from or about Sister Baker until June 2006 when it learned that Sister Baker was working on the production "There Will Be

Blood." An officer confronted Sister Baker with the agreement she had made not to work without a valid license. Sister Baker attempted to blame others, asserting that others had gotten approval from the union.

Following this situation, on June 11, 2006 Sister Baker chose to resign her membership from Local 706 rather than face charges and possible expulsion. In a letter dated November 5, 2007 Sister Baker requested that she be reinstated into Local 706, and later that month the Executive Board decided to reinstate her membership and demanded that an investigation be performed to ensure that Sister Baker had completed her full cosmetology course. What the Local seems to have on file from Sister Baker is a temporary cosmetology license that expired on April 11, 2008.

The International President affirmed the decision of the membership, and the General Executive Board reviewed the record on appeal and upheld the decision of the International President. President Short did not participate in the deliberations nor did he vote.

#### **APPEAL OF LOCAL NO. 264 RE: DORIAN NICELY**

The appeal of Local 264 was read to the Board and a summary of the appeal is as follows.

The Executive Board of Local 264 filed charges against Dorian Nicely on November 7, 2007. The charges allege that Sister Nicely had worked in another Local's jurisdiction without proper authorization and against the directive of International Vice President Walter Cahill. Sister Nicely argued that the charges were simply

an attempt by the Local to punish Sister Nicely for having previously sent a letter of complaint about the Local 264 officers to President Short.

After the trial was held and the findings upheld by the membership, Sister Nicely appealed to the International on April 3, 2008. Upon review of the details of the case, a number of Constitutional violations in the trial proceedings and membership meetings were discovered which rendered both the trial and the decision of the trial board unfair and unconstitutional. For these reasons, the decision of the trial board and membership was reversed by the International President.

The General Executive Board reviewed the record on appeal and upheld the decision of the International President. President Short did not participate in the deliberations nor did he vote.

#### **APPEAL OF DONALD CRACE V. LOCAL NO. 369, HUNTINGTON, W.VA**

Brother Donald Crace, member of Local 369, appealed to the General Executive Board from a decision of the International President. Brother Crace's appeal was read to the Board and a summary is as follows.

Brother Crace filed charges against Business Representative Chet St. Clair and Steward Rhonda Smith on May 13, 2008. The charges involve a decision by SMG management that Brother Crace not be referred to work at the Big Sandy Superstore Arena based upon job performance. It appears there is no job security nor are there staff positions for stage employees at the Arena. Moreover, there do not seem to be any issues

involving internal union governance or affairs with regard to Brother Crace and his employment at the Arena. Thus, there does not appear to be a violation of the International or Local Constitution and Bylaws.

The Local was directed not to take cognizance of the charges, and as a result of that directive, there is no trial board finding or membership decision. Crace is now appealing this decision of the International President.

The General Executive Board reviewed the record on appeal and upheld the decision of the International President. President Short did not participate in the deliberations and did not vote.

#### **APPEAL OF CORDOVA, HANRAHAN, McDONALD, PELLETIER, HESS V. LOCAL NO. 423, ALBUQUERQUE, NM**

Charges were filed by the Executive Board of Local 423 against twelve of its members, some of whom were officers at the time. The charges alleged that these members had violated an Unfair Employer letter issued by the International President on November 2, 2007 in which he declared Stage Services, Inc. and unfair employer and directed the Local not to render services to them. As requested by Local 423 in a letter dated February 14, 2008, the International President's original jurisdiction to try charges was invoked pursuant to Article Seven, Section 5(e) of the International Constitution. Therefore, a hearing was conducted by International Representatives Joel Youngerman and Donald Gandolini.

The testimony and evidence presented at the hearing can be found in the decision letter subsequently

issued by the International President.

An appeal to the General Executive Board from the decision of the International President was filed by Sandra Cordova, Michael J. Hanrahan, Randy McDonald, Nettie Pelletier and Caroline Hess. The General Executive Board reviewed the record on appeal and upheld the decision of the International President. President Short did not participate in the deliberations and did not vote.

#### **APPEARANCE LOCAL NO. 883, CLEVELAND, OH RE: Playhouse Square Foundation**

Sister Diane M. Burke, Business Representative of Local 883, and International Representative Patricia A. White reported that the Local entered into negotiations with Playhouse Square Foundation.

In just one negotiating session, Local 883 achieved a landmark contract achieving the following:

- Five-year term
- Covering six venues (adding Hanna Theatre and 14th Street Theatre)
- 18% increase (8% with wages and 10% into health first time ever contribution)

The agreement was ratified unanimously by the membership and Sister Burke thanked the International for the tremendous support they provided.

#### **APPEARANCE LOCAL NO. 772, WASHINGTON, DC**

##### **Re: Organizing, Agreements**

Sister Jessica Evans, Business Agent of Theatrical Wardrobe Local 772, appeared before the Board to report on the progress made by the Local in organizing the wardrobe departments within its jurisdiction

since attending the Special Wardrobe Caucus held in New Orleans in the winter of 2007. Since that time, Local 772 has codified its long-standing oral agreement with the Verizon Center into a written document, has been voluntarily recognized as the exclusive bargaining unit, is in the process of negotiating a contract at the Fords Theatre Society, and is in various stages of the organizing process at other venues. Sister Evans extended her thanks to President Short, Vice President and Director of Organizing Daniel Di Tolla, and Vice President Walter Cahill. She especially credited "DC Union Informational Nights" led by Vice President Cahill for all Washington-area locals and workers as an especially effective tool in organizing. Local 772 called on all locals to work together in organizing and collective bargaining, and pledged support to any sister locals in need of its help.

#### **APPEARANCE WOUNDED MARINE CAREERS FOUNDATION**

International Vice President-in-Charge of the West Coast Office Michael F. Miller, Jr. and International Representative Lyle Trachtenberg introduced members of the Wounded Marine Careers Foundation who gave an excellent presentation to the General Executive Board and members in attendance. The presenters included the Foundation's Co-Founders Kevin Lombard and Judith Paixao, Gunnery Sergeant Nick Popaditch, as well as other U.S. Marine Veterans, Sergeants Raul Espinosa and Roberto Villedo, and Lance Corporal Brett Sobaski, who suffered injuries while serving our country in the Afghanistan and Iraq wars. A very emotionally



Members of the 01-08 Class of the Wounded Marine Careers Foundation were sworn into membership by President Short.

charged video documentary was shown, which was produced by Sempre Films, a project of WMCF. The Foundation focuses on retraining of wounded Veterans, teaching them video production in the traditional crafts represented by the IATSE. The IATSE is proud to be partnered with this very important Veterans' organization. Members of the 01-08 Class of the Wounded Marine Careers Foundation were sworn into membership in the respective West Coast Locals by International President Thomas C. Short who stated that the IATSE is extremely proud and honored to be associated with the Foundation. The school operated by the Wounded Marine Careers Foundation is truly a significant project on behalf of our United States wounded veterans.

**APPEARANCE  
LOCAL NO. 306, NEW YORK, NY  
Re: Regal Cinemas**

Business Agents Barry Garfman and Miriam Pollock appeared before the Board and reported that the Local reached a new two-year agreement with Regal Cinemas.

The new agreement maintains the current wage structure in the six covered theatres and increases the pension and health contributions to 22%. Audio-visual language was added to their scope of jurisdiction.

President Short noted that this was a report of progress for the Local.

**ABC/NABET**

International Vice Presidents Matthew D. Loeb and Michael F. Miller, Jr. and General Counsel Steven B. Spivak appeared before the Board to report on an agreement between ABC-TV and NABET, modifying NABET's Broadcast Agreement to adapt it to television production of the type traditionally performed by IATSE. The agreement, signed by ABC and NABET in November 2007, came to the attention of President Short.

The agreement with NABET covered the production of Opportunity Knocks and its terms and conditions severely undercut the Basic and other IATSE agreements. It allows many traditional IA crafts to be employed non-union and it expresses the clear

intention to continue to give NABET IATSE's production work in the future.

President Short became directly involved and the production eventually retained outside counsel. After a series of letters from ABC and efforts to conceal the true producer of Opportunity Knocks, the show was eventually picked up by a Disney-affiliated company and traditional IATSE employer.

President Short noted that great vigilance will be required in the future to ensure that this type of raid on traditional IATSE jurisdiction does not take place again.

**ACT – NEW MEMBER KIT**

General Secretary-Treasurer James B. Wood, International Vice Presidents Anthony DePaulo and Brian J. Lawlor, and International Representative Patricia White appeared before the Board to report on the ACT New Member Kit developed as a promotional tool for new members in the stagecraft area. The ACT Department now has 387 members who should be absorbed by the Locals. Since many of these members had no previous contact with labor unions, the kit was developed to help them understand the goals of the IATSE.

**ACCIDENTAL PRODUCTIONS  
API, INC.**

International Vice President and Director of Canadian Affairs John M. Lewis, Local 667 President Ciaran Copelin and Business Agent Rick Perotto along with Local 873 President Bob Hall, Vice President Glen Gauthier, Business Agent Kirk Cheney and Treasurer Pauline Chung reported to the Board on the progress of Local 873 in securing agreements with Canadian productions. In view of the industry

disruptions in the United States and the falling American dollar, this had become more important than ever.

Notwithstanding the local's attempt to adjust its feature agreement (and even match NABET terms and agreements), attempts to secure low budget Canadian productions were not particularly successful, as Canadian producers were not convinced that the local was seriously committed or that 873 members would actively work their productions (and not simply leave once a large US feature arrived).

However, the extension of the Low Budget Agreement to Canada appears to have been a turning point. First, Evolution Pictures agreed to shoot the Saw franchise under the agreement, after the earlier film had been shot NABET. After initial issues were resolved about admitting into membership those members of the crew who were willing to give up their NABET membership, the local had no trouble crewing the Saw films. Although there was a learning curve with respect to work and crewing practices for low budget work, Evolution has shot three additional films under the Low Budget Agreement in Toronto, (and will be shooting two more in Vancouver later in the year). Also, Don Carmody, a well-known Canadian producer, has used the Low Budget Agreement.

With the dearth of US productions, the local is now aggressively seeking work on Canadian productions. For the first time, the local secured an agreement with Muse Productions (for a \$1.9 million movie-of-the-week), with Temple Street Productions (for 16 one-hour

episodes of The Session, to be aired on the CBC) and Barna-Alper Productions for a pilot. None of these producers had previously shot under the IATSE collective agreements.

Progress is being made. After previously being shut out of some US television production, the television term agreement provided an opportunity for Local 873 to re-enter the market place. With advance notice, the International has been able to assist in securing agreements with independent US producers. Now a consistent effort in pursuing Canadian producers is the last piece of the puzzle of resolving the competition with NABET.

Gratitude was expressed, in particular to Local 667 and its Business Representative, Rick Perotto, for their assistance to Local 873.

**AFTRA/SAG**

International Representatives Daniel Mahoney and Gavin Koon were assigned by President Short to attend American Federation of Television and Radio Artists ("AFTRA") negotiations. Representative Mahoney was assigned to Network TV Code, which began on February 19, 2008 and concluded March 8, 2008. These talks involved the non-Prime Time Television Show portion of the AFTRA Collective Bargaining Agreement covering daytime serials, TV shows, promos, musicals, entertainment, and sports. The agreement was ratified April 30, 2008 by more than 90% of the membership. It included wage and benefit increases retroactive to November 15, 2007.

**Network Code/Prime Time**

These negotiations covered the Television Broadcasting Networks, Film Studios, Legitimate Theatre,

Prime-time television shows, network and cable done under this AFTRA agreement. AFTRA represents 70,000 actors and has 30 chapters in United States. The negotiations began May 7 and concluded May 28, 2008.

This agreement was ratified on July 7, 2008 by more than 63% of the membership. It includes increases for major roles and background actors, New Media jurisdiction and rates.

Roberta Reardon thanked the IA for its support.

**LOCALS NO. 849 AND 667,  
ATLANTIC CANADA**

International Vice President and Director of Canadian Affairs John Lewis, Local 667 President Ciaran Copelin, Business Representative Rick Perotto and Local 849 representatives David Reilly and Gary Mitchell reported on problems with the Quebec rival union, AQTIS, which were overflowing into the adjacent province of New Brunswick. AQTIS had been intimidating co-productions or Quebec productions working in New Brunswick under IATSE collective agreements. With the successful establishment of Local 514, a more proactive approach was called for to resist the attempts of AQTIS and the Quebec producers (the APFTQ) to assert jurisdiction in New Brunswick and other Atlantic provinces by falsely asserting that even in those provinces Quebec workers were required (for tax credits or otherwise version) to work under AQTIS agreements. Productions shooting in Atlantic Canada should not only shoot under IATSE collective agreements but engage members from Locals 514 and 667.

When a recent Quebec/New Brunswick co-production, *Belle Baie*,



began shooting in New Brunswick, again, it received correspondence from APFTQ that it could not legally sign a collective agreement with the IATSE in New Brunswick. A response was prepared by Canadian Counsel challenging the basis and legitimacy of the APFTQ or AQTIS position and which was widely circulated. The producers of *Belle Baie* did sign IATSE collective agreements and there is optimism that a second production and others will also do so.

#### **BECTU**

General Secretary James B. Wood, International Vice President and Stagecraft Co-Director Anthony DePaulo, Assistant to the President Deborah A. Reid, and BECTU Assistant General Secretary Luke Crawley reported to the Board on their attendance at the BECTU annual conference in Liverpool in the United Kingdom in May 2008. International connections in an increasingly globalized economy have become more and more essential and the important ties between IATSE and BECTU are being strengthened. Assistant General Secretary Crawley announced that in view of his contribution to establishing and strengthening the relationship, BECTU's Board has determined to confer an honorary membership on President Short at BECTU's next annual conference. President Short expressed his gratitude not only for the honor but for the continuing relationship and support of BECTU throughout his administration.

#### **BILL C-10 SENATE OF CANADA**

International Vice President and Director of Canadian Affairs John M. Lewis reported to the Board on Bill C-10, an omnibus federal tax bill,



**BECTU Assistant General Secretary Luke Crawley (left) reported on the annual BECTU conference, with General Secretary-Treasurer Wood.**

which includes provisions that will allow the Minister of Canadian Heritage to deny eligibility for tax credits to productions determined to be contrary to the public interest. The Minister would have the power to deny tax credits even if other federal agencies (e.g. Telefilm, Canadian Television Fund) have already approved and invested in the production. Additionally, eligibility for tax credits would now be determined after the production wrapped.

Not surprisingly, if only for the blatant interference with artistic freedom and the censorship implications, Bill C-10 has created much controversy, both in and out of the industry. The IATSE was invited to testify before the Standing Senate Committee on Banking, Trade and Commerce. Because the censorship issue would be more than adequately covered by other witnesses, the IATSE appearance (by Vice President Lewis) focused primarily on the negative impact of Bill C-10 on financing in the motion picture industry and the consequential instability to the industry.

The Senate Committee is now proposing amendments to Bill C-10 that will address concerns that the IATSE and other industry groups raised. Those amendments will now go back to the House of Commons for further debate. However, the present Conservative government has not accepted the amendments and is threatening to make any House of Commons vote on Bill C-10 a matter of confidence in the government, which could trigger a federal election. The Canadian Office will continue to monitor and report on the situation.

#### **BROADWAY LEAGUE / LOCAL NO. 798**

International Vice President Anthony DePaulo, International Representative Patricia White, Brother Joe Cuervo and Sister Valerie Gladstone gave a report to the Board on the successful conclusion of negotiations between the Broadway League and the Makeup Artists and Hair Stylists Local 798. The issues were wages and benefits and jurisdiction over makeup and hair designers employed

on Broadway shows. The designers, most of whom are members of Local 798, were never covered by a union contract. President Short made it clear that no agreement would be concluded without jurisdiction over the designers. The League agreed to the jurisdictional proposal and a contract was concluded.

President Short noted this as a report of progress.

#### **CANADA**

International Vice President and Director of Canadian Affairs John M. Lewis, International Vice President Damian Petti, Assistant to the President Sean McGuire, International Representatives Julia Neville, Barny Haines and Paul Taylor, along with Special Representative Rick Perotto, CLC Delegate Donald K. Ramsden and Canadian Counsel Bernard Fishbein reported to the Board on developments in Canada since the last Board meeting.

International Representative Barny Haines had been assigned to assist Local 63 (Winnipeg) with re-negotiation of the collective agreement with Q1 Production Technologies, which had been delayed because of the employer's financial difficulties. Ultimately, a one-year agreement was reached and has been ratified. Also, the International has assisted the local in its attempt to organize the Manitoba Theatre for Young People. An application for certification had been filed and is being litigated before the Manitoba Labour Board.

International Representative Julia Neville and Assistant to the President Sean McGuire had been assigned to assist Local 118 (Vancouver) in negotiations with the City of Vancouver

covering the Queen Elizabeth, Playhouse and Orpheum Theatres. The negotiations were concluded and a collective agreement with improvements had been ratified.

A renewal of the first collective agreement between Local 129 (Hamilton / Brantford) and the Sanderson Centre for the Performing Arts in Brantford had been successfully negotiated with the assistance of the International.

Local 173 (Projectionists) has Ontario jurisdiction and has contracts in Stratford, London, Hamilton and Ottawa, as well as Toronto. With the decision to merge the local, International Representative Christie Greenlaw assisted the local in negotiating merger agreements not only with Local 58 (Toronto), but also with Locals 105 (London), 357 (Kitchener) and 471 (Ottawa). The membership of the affected locals has now approved the agreements, and subject to the approval of the International President, the merger will be effective July 31, 2008.

Although Local 262 (Montréal), with the assistance of the International, had been successful in organizing the AMC Theatre in the Montréal Forum, negotiations were not proceeding expeditiously and may be headed to first contract arbitration. Equally, notwithstanding substantial assistance from the International, the local's certification application for Scotiabank Cinema (a large multiplex facility operated by Cineplex) was unsuccessful when the local lost the representation election.

A Conservative government was elected in the province of Saskatchewan in 2007, and the

impact of its anti-labour bias was already being felt. Among its first order of business was to fire every Vice-Chair of the Saskatchewan Labour Board and to amend the existing labour legislation on a very anti-labour basis. The International had assisted Local 295 (Regina) in filing an application for certification for a group of production employees for Partners in Motion Picture Inc. on January 18, 2008. Previously, a hearing would be scheduled within 20 days of the application to deal with the employer objections. Only recently has the Board finally scheduled a hearing in October. This unconditional delay may effectively be fatal to the certification process.

With the assistance of International Vice President Tim Magee, Local 580 (Windsor) had supplied stagehands for the preparation and staging of the Red Bull Air Race in June 2008, in front of 750,000 American and Canadian spectators. This was the third leg of a 10-race World Series and the first time a race had taken place on the border of two nations.

Since it has been without a Business Agent the last few months, International Representatives Barny Haines and Julia Neville have been assisting Local 669 (Western Canada Camera) in securing collective agreements including a low-budget Saskatoon-based production called *Rabbit Falls*, which will enhance the local's position in the province. A new Business Agent has been hired who will be assuming full-time duties shortly.

Local 822 (Toronto) had recently concluded negotiations with Live Nation for a collective agreement at the Molson Amphitheatre, one of



Toronto's premier concert venues. After protracted negotiations, a threatened arbitration under the local's municipal-wide collective agreement forced the successful conclusion of an acceptable collective agreement for this venue, which Live Nation had only recently acquired from House of Blues. Notwithstanding the employer's assertion during negotiations that the venue would only generate one or two wardrobe calls a year, eight 13-hour wardrobe calls were crewed by the local in the first four days of the agreement. The local achieved a second organizing victory when a voluntary recognition agreement for wardrobe, hair and makeup artists was signed by the St. Lawrence Centre for the Performing Arts following filing of a certification application with the Ontario Labour Relations Board in June. As well, the local had recently entered into a collective agreement with Dancap, a new and major producer in the Toronto theatre industry, presenting Broadway touring productions. The agreement covers all Dancap production in all venues; some not otherwise covered by agreements with the local.

The International continues to cross swords with the CFTPA, the employer association representing Canadian producers. Although purporting to seek collective agreements with the IATSE or some of its locals, the CFTPA does not actually bind its members to such agreements. This results in those agreements being used merely as starting points for further negotiations by individual CFTPA members who may or may not choose to sign. Accordingly, the IATSE has resisted the CFTPA's overtures to bargain so called agree-

ments with it until there is an organization that will actually bind its members to the agreements negotiated and those agreements confer exclusive jurisdiction to the IATSE throughout Canada. Most recently, the IATSE had resisted such CFTPA overtures both in Saskatchewan and Alberta (where the CFTPA had been lobbying the provincial government to intervene and which, for the time being, has decided not to interfere).

The International had filed an application for certification for stage employees at Casino Niagara in Niagara Falls in March 2007. While a representation vote had been conducted, due to employer objections, the ballot box remained sealed. Although the bargaining unit issues remain outstanding, the Board issued a decision dated July 3, 2008 about the eligibility of certain individuals, which resulted in the Board directing the box being unsealed and the ballots being counted. However, the employer has sought reconsideration of the Board direction and the Board has deferred the counting of the ballots pending its reconsideration determination.

International Vice Presidents Lewis and Petti and CLC Delegate Donald Ramsden attended the 25th Constitutional Convention of the Canadian Labour Congress in Toronto in May 2008 representing the IATSE. There was debate about the competing relevancy and need for financial support between the CLC as the national versus, and the provincial and district labour councils (recognizing the primary legislative labour relations jurisdiction in Canada is provincial and not federal). The CLC Executive Council agreed to study the problem

and present its findings to the next CLC convention in 2011. There will be no increase in CLC per capita for the next three years. The current officers of the CLC were all re-elected by acclamation. Unfortunately, some of the needed debate about collective bargaining, labour law reform and organizing strategies was crowded off the CLC agenda by disproportionate debates about social activism.

The federal government has introduced regulations to the Lobbying Act, which come into effect on July 1, 2008 and which also apply to unions. Essentially, registration and monthly returns will be required if lobbying activities account for 20% or greater of the equivalent of one person's regular work in a month. The monthly return must disclose all "arranged oral communications" with federal public office holders. There are serious penalties for non-compliance and the Canadian Office will closely monitor the information guidelines concerning the interpretation of these guidelines.

International Representative Julia Neville has been assigned to deal with the Winter Olympics, which will be held in Vancouver and Whistler, British Columbia in 2010 and present a tremendous source of work opportunities for IATSE members. Representative Neville will be coordinating her efforts with Local 118, 168, 669 and 891. Meetings are being arranged with broadcasters.

Although not on the scale of the problems in the United States, many Canadian locals are experiencing difficulties in providing supplemental health benefits to their members. The International will be working with Districts 11 and 12 to establish an ad

hoc working group to review the manner in which our locals presently deliver health benefits. A Benefits Consultant has been retained to work with the Committee to develop recommendations to help locals deliver supplemental health benefits on a cost-effective basis.

President Short once again complimented the Canadian Representatives on another report of progress.

#### RESIGNATION OF CLC DELEGATE DONALD RAMSDEN

At the conclusion of the Canadian report to the Board, Brother Donald Ramsden announced that he was resigning his post as CLC Delegate to which he was elected in 2005. Brother Ramsden expressed his deep appreciation to President Short and the General Executive Board for their support and assistance throughout his run as CLC Delegate.

President Short stated that Brother Ramsden's contributions to the International and his representation of the IATSE as CLC Delegate have been very much appreciated.

#### APPOINTMENT OF KELLY MOON AS CLC DELEGATE

Upon the resignation of Brother Donald Ramsden, President Short announced that in accordance with the International Constitution he was required to appoint someone to fill the vacancy. President Short recommended that the vacancy be filled with Sister Kelly Moon of Vancouver Local 891. Sister Moon was elected to a three-year term as Senior Steward for the Local and also serves as its Lead Organizer. She was recently appointed to serve as a member of I.A.T.S.E. Diversity Committee and sits on the B.C. Federation of Labour Women's Committee.

The Board approved the appointment of CLC Delegate Kelly Moon and President Short administered to her the oath of office.

#### COLOSSOVISION AGREEMENT

International Vice President Damian Petti reported on the second national agreement with Colossovision, which had been successfully renegotiated the previous week. The agreement contained improvements in terms and conditions (including

President complimented all those involved in the establishment and negotiation of this agreement as a model for future progress.

#### AFL-CIO DEPARTMENT FOR PROFESSIONAL EMPLOYEES (DPE)

A number of years ago International President Short decided to re-affiliate with the Department of Professional Employees AFL-CIO ("DPE"). He expressed confidence in

DPE President Paul Almeda as to his being able to effectuate positive change by pushing new legislation and initiatives beneficial to the IATSE.

Two recent examples are the Industry Coordinating Committee that grew out of the last

AFL-CIO convention. The idea here was to –

where practical – have unions employed in a given industry to try and either organize or bargain together for increased strength. The other issue is the workgroup on independent contractors and antitrust.

As to the ICC progress, this has been slow. Other unions, AFTRA, SAG, the musicians and Actors Equity are somewhat wary about this process. We have been eager to move this forward and will continue to move on our own.

The other issue, independent contractor and antitrust, is complex. This



Newly-appointed CLC Delegate Kelly Moon with International President Short.

mandatory contributions to the Canadian Entertainment Industry Retirement Plan). The agreement presented future opportunities, not only for Colossovision to secure work throughout Canada performed under an agreement by IATSE members (which might not otherwise be so performed), but as a template for national agreements in this industry throughout Canada.

International Representative Barny Haines has been assigned to deal with any problems arising out of the administration and implementation of the agreement. The International



issue is also known as misclassification of employees. Two pieces of legislation are in the works, one by Senator Barack Obama that addresses the "Safe Harbor" issue. The other is a bill in the House of Representatives by Robert Andrews of New Jersey and Lynn Woolsey of California that addresses this problem through the Fair Labor Standards Act. It would require an employer to keep records of individuals it pays for services and notify them as to whether the employer classifies them as an employee or an individual contractor. An employer who does not keep the required records or misclassifies an employee as an individual contractor would be subject to civil penalties up to \$10,000 for each employee and an additional \$1,000 for repeat or willful violations.

By misclassifying a worker as an independent contractor, an employer generally saves a minimum of 30%. Workers are forced to pay their own taxes and deprived of virtually all worker protections. The last IRS estimate in 1984 showed that 15% of employers misclassified 3.4 million workers in 1995. A Government Accounting Office estimate showed the current total loss to be \$3-4 billion.

The legislation hopes to resolve this abuse of our members by: increasing penalties on the employer; changing the reporting requirements on the employer; modifying or repealing the Safe Harbor; and having new worker compliance, anti-retaliation, and appeal protection.

#### **GLOBAL SPECTRUM**

During the January 2008 General Executive Board Meeting in Orlando, Vice President and Director of Orga-

nizing Daniel Di Tolla and In-House Counsel Samantha Dulaney reported on the then recent NLRB decision in Dana Corporation which represented a sea change in law regarding organizing.

After the January Board Meeting, International Vice Presidents Michael Barnes and Director of Organizing Di Tolla, and Vice Presidents Brian Lawlor and Anthony De Paulo, and Representative Patricia White and In-House Counsel Dulaney discussed strategy. The International negotiated a Stipulated Election Agreement with the Employer, identified the unit, and agreed upon a formula (the NLRB has found that entertainment unions qualify for certain formulas to establish an eligibility list of voters). An eligible list of voters was also agreed upon. After reaching the agreement with Global Spectrum, we contacted Vice President Jack Beckman. Vice President Beckman was the point person in St. Louis at the Chaifetz Arena. An election was held on June 13, 2008. Vice President Beckman informed us that the final results were 18-0 in favor of representation. The Union was certified as the bargaining representative on June 23, 2008.

Vice President Barnes reported on the arena in Glen Falls, N.Y. and fruitful negotiations for a successor agreement. Global Spectrum provides regular employment opportunities to our members. The relationship with this employer continues to be productive and promising.

#### **IATSE/AMPTP – HOLLYWOOD BASIC AGREEMENT**

Matthew D. Loeb, International Vice President and Director of Motion Picture and Television Production,

Michael F. Miller, Jr., International Vice President-in-Charge of the West Coast Office, Representatives of the West Coast Studio Locals, and IATSE Counsel presented a report on the status of negotiations between IATSE and AMPTP for a successor Basic Agreement. During the week of April 7, 2008 the parties met at the offices of the AMPTP in Los Angeles. The IATSE proposals concerned wages, benefits and new media issues. The producers raised other issues. Although the parties made progress toward negotiating a successor agreement time ran out due to previously set negotiations between AMPTP and AFTRA. By agreement, our negotiations would not be continued until the pending actors' negotiations could be concluded.

It was reported that much of the discussion concerning benefits was driven by the fact that the Pension Protection Act of 2006 created onerous conditions that must be met by employee defined benefit plans. These conditions made it a great deal more costly to fund and maintain a level of benefits to provide employee health, welfare and pension benefits. The reserve levels that are required to be maintained under the new regulations impact not only the pension fund but because of the relationship between the health plan and pension plan in the Motion Picture Industry Pension and Health Plan, the cost rolls over to the expense of providing health benefits due to the diminished ability to transfer reserves between the plans. This is likely to result in plan design changes in order to continue the level of benefits that IATSE members have enjoyed when work-

ing under the Hollywood Basic Agreement.

President Short pointed out how seriously flawed and anti-union is the Pension Protection Act of 2006 which was sponsored by the Bush Administration.

#### **IATSE CANADIAN RETIREMENT PLAN AGREEMENT WITH THE DIRECTORS GUILD OF CANADA (DGC)**

International Vice President and Director of Canadian Affairs John M. Lewis, and International Vice President Damian Petti, IATSE Local 891 Treasurer Frank Haddad (Chair of the Retirement Committee) and Canadian Counsel Bernard Fishbein reported to the Board on these developments.

The success of the IATSE Canadian Retirement Plan since its inception following the 2006 Mid-Winter General Executive Board Meeting in Houston had not gone unnoticed. In December of 2007, the Directors Guild of Canada approached representatives of the IATSE about their interest in participating in the plan. After negotiations in which the IATSE was represented by Vice President Lewis, Retirement Committee Chair Frank Haddad, Retirement Plan Manager Lorraine Allen and Canadian Counsel Bernard Fishbein, an agreement had been reached. A memorandum of agreement and the revised plan text and updated plan rules were presented to the Board. The plan will be renamed the Canadian Entertainment Industry Retirement Plan. The IATSE will remain the sole sponsor of the plan and the International President will appoint three DGC representatives (on the recommendation of the DGC) to the 13-member Retirement Committee and monies generated for the expense

recovery account will continue to be paid to the IATSE to recoup the start-up costs of the Plan.

The DGC has now ratified the agreement. Both DGC Plans will be terminated and their assets transferred to the Plan as of September 1, 2008. President Short moved to approve of the Memorandum of Agreement, which was unanimously ratified by the General Executive Board.

#### **IATSE STAGECRAFT DEPARTMENT**

International Vice Presidents Anthony DePaulo, Brian J. Lawlor, Michael F. Miller, Jr., and John M. Lewis, along with Assistant to the President Sean McGuire and International Representatives Patricia A. White and Ira Alper, reported on the status of the Stagecraft Department.

Broadway grosses are still high but as a result of the labor dispute it did not reach the level of the previous year. New musicals, plays and revivals are being mounted on Broadway. Big hits in terms of ticket sales continued on Broadway, with more opening next season. Foreign tourists continue to make up a great part of the audiences.

The Road has been successful this past year with some shows having multiple touring companies on the road. League touring shows are successful with a large number currently on the road. Modified Pink Contract tours have also been successful this past year.

Hair and Makeup Locals, including Local 798 in New York City, have concluded contracts, most notably with the Broadway League. In St. Louis, Local 805 has filed an NLRB petition at the Fox Theatre.

Wardrobe Locals in Cleveland, Washington, DC, and Toronto continue to be active in organizing and negotiating and maintaining their contracts. Work for wardrobe and hair & makeup members at the local level has increased on traveling road shows while local stagehand employment on such shows is down somewhat because of automation.

Award shows continue to provide much work for IATSE members. A term agreement covers about ten shows a year around the United States.

The Division participated in the INTIX Conference, involving Box Office issues and ticket sales issues. Treasurers and Ticket Sellers Locals have been urged to have more contact with the stagecraft locals in their jurisdiction. The Department has assisted numerous Treasurers locals in their negotiations.

In Canada, training courses have been instituted by the 11th and 12th Districts.

The Department continues to meet with Pink Contract employees, including a meeting at the National Benefit Fund Office in New York City to answer questions and concerns of these members.

#### **IATSE ORGANIZING DEPARTMENT**

International Vice President Daniel Di Tolla reported on the status of the Organizing Department. Commencing in November 2007 contracts with Fox Sports Regional Networks in Texas, Arizona and Los Angeles began to expire at intervals of three to four months. In addition, an election to represent the freelance technicians employed by Fox North in



Minneapolis was won. As a result of discussions with the company it has been agreed to enter into negotiations with Fox Sports Regional Network for a national contract. The Organizing Department is coordinating with the Los Angeles Locals, Arizona Local 748, Texas Local 796 and the Minneapolis freelancers to commence the negotiations in Los Angeles in September.

In Birmingham, Alabama, organizing resulted in numerous contracts in the jurisdiction of Local 78. Brother Vladimir Shilkrot of Local 78 spearheaded these organizing drives. Tragically, he was recently killed in a forklift accident. The Board passed the following resolution in appreciation to Vladimir posthumously:

#### **Vladimir Shilkrot Resolution**

WHEREAS, Vladimir Shilkrot rendered extraordinary services in support of IATSE organizing; and

WHEREAS, these efforts resulted in the election victories among employees of the Oak Mountain Amphitheater, Red Mountain Productions, and the Alabama Symphony Orchestra; and

WHEREAS, Brother Shilkrot's participation in and support of the collective bargaining process with each employer resulted in the successful negotiation and execution of contracts with all three venues; and

WHEREAS, these contracts represent the only formal contracts within the jurisdiction of Local 78, and

WHEREAS, Brother Shilkrot died in a tragic accident while working at Oak Mountain Amphitheater, and

WHEREAS, Brother Shilkrot is survived by a wife and two small children;

NOW, THEREFORE, BE IT RESOLVED that the IATSE General Executive Board, in an expression of condolences to Brother Shilkrot's family and appreciation for his efforts in support of the labor movement, do hereby donate the sum of \$10,000 to his family.

#### **IATSE TRADE SHOW AND DISPLAY WORK DEPARTMENT**

##### **Local 46, Nashville, TN:**

International Representative Mark Kiracofe was assigned by President Short in April to represent the International at the negotiations for the area standards contract for general service contractors working in the jurisdiction of Local 46. The employers represented at the table were Freeman, GES and George Fern Co. Their initial proposals sought to institute increased mandatory straight time working hours, especially for break of show days, and also to increase the number of non-bargaining unit employees they could utilize before calling the Local. Those proposals were rejected and an agree-

ment was reached on July 11 which provides referrals a 3% economic increase in each of the three years of the term. New language was agreed upon dictating the minimum standards for Drug and Alcohol testing and reinstatement for each individual employer. Stronger notification language was obtained before employers can exercise the right to employ up to ten non-bargaining unit employees. Other improvements include a reduced time period for New Hires to be eligible to test for Journeyman status and reduction of the call size where the Job Steward becomes administrative only.

The membership of the local ratified the agreement unanimously at the regularly scheduled meeting on July 14 and Representative Kiracofe has informed the employers the rates and conditions will be in effect as of that date. The contracts are being signed by the employers who participated in the negotiations and will be forwarded to the General Office upon their receipt for its approval. The agreement will then be distrib-

uted to the remaining fifteen GSC's who are currently under contract.

While working with Local 46, Representative Kiracofe was informed of nine additional signatories to the EAC agreement reached in December 2007, which brings that total to nineteen employers under that contract.

##### **EXHIBITOR 2008:**

The IATSE is participating with other industry professionals supplying goods and services to the tradeshow and corporate event markets at the EXHIBITOR tradeshow held in Las Vegas each year in March.

EXHIBITOR magazine promotes this show annually and attracts over 5,000 meeting and corporate event planners to the conference training and lecture sessions and by assembling nearly 500 entities in the exhibit hall displaying products ranging from promotional items to transportation. The general service contractors and exhibitor-appointed contractors with whom members work every day were the main attraction, promoting the latest in exhibit design and lightweight fabrication, and their most important product: customer service. Emerging technologies in sound reinforcement, lighting, and video presentation and projection were also prevalent on the show floor. The diverse assembly of tradeshow and meeting operations managers provided unique opportunities to network outside the normal negotiating or grievance setting and provided a forum to discuss the current state of the industry and the changes that lie ahead. One subject that was raised repeatedly was the ETCP rigging and electrical certification programs and their effect on who will be the pre-

ferred employees in these crafts. Exhibiting at this show demonstrates to employers the IATSE's commitment to the success of their companies and of the tradeshow industry in general.

##### **Local 838, Salt Lake City, UT:**

An investigation into complaints of service failures of agreements by employers utilizing the hiring hall of Local 99 for tradeshow work also revealed a disgruntled membership attempting to make a living in the exhibition industry. These members requested and were granted an Exhibition Employees Charter in October 2005 and began operating the referral hall on December 1. The Local currently consists of 82 members. The Local has affiliated with the CLC and Utah AFL-CIO, and has joined the Salt Lake City Convention and Visitors Bureau and Utah Safety Council. Representative Kiracofe also noted that Brian Faulkner, Local 838 Business Agent, had recently been elected to the office of Vice President of the Salt Lake City CLC. Local 838 has served as a host local for the IATSE District 5 convention. During 2006, wages and benefits exceeded \$3 million paid to the members and referrals, which is a third higher than originally expected. Wages and benefits exceeded \$2.7 million in 2007. Benefits contributions are made to the IATSE National Benefit Funds.

The expansion of the Salt Palace Convention Center ("SPCC") to over 500,000 square feet has attracted more national shows, requiring the need to recruit and train skilled personnel for effective operation. The Division has developed a good working relationship with SPCC manage-

ment and has been allowed use of the facility for job fairs, orientation, and training, as well as local union meetings, for the nominal cost of insuring those events.

Participation in the Safety Council has provided an economical mechanism to certify the Local's own trainers who will instruct and supply industry certifications for forklift and hi-lift operators without having to rely on employers to provide that service. The Local is providing this service with preference to members. Local 838 continues to increase training opportunities through the employer funded Training Trust Fund, by offering industry specific classes on rigging safety and electrical principals. The Trustees have also approved a reimbursement plan for members who further their education and satisfactorily complete the ETCP testing in these crafts. Further, training and certification of Journeymen in I & D and Decorating classifications have begun. The Division is receiving positive feedback from employers for these training efforts and has been able to negotiate preferential referral opportunities and premium rates for certified employees. The Division has also provided stewards training by utilizing resources made available by the Utah Labor Commission in conflict recognition and resolution, proper documentation of complaints, and identifying protected class discrimination.

Negotiations for successor agreements with all tradeshow employers were completed in 2007 with significant gains made in returning conditions to national industry standards



**Representatives of the Trade Show and Display Work Department, including Don Gandolini, Director William Gearns, Jr., and Faye Harper, reported on the activities of the Division.**



and establishing meaningful benefits contributions.

The Division, with the assistance of the Local's officers, began the process of writing and amending the Local's Constitution and Bylaws this spring and on July 9, the Constitution and Bylaws were unanimously ratified. That document has been forwarded to the General Office for its approval. The Local's job referral procedure is well-established with committee in place to address complaints and violations of the procedure. Local 838 Business Agent Faulkner is aware of the importance of maintaining clear records of employers' requests and documenting his referral process.

Representative Kiracofe recently examined the books and records of the Local and found them to be up-to-date, with financial assets over \$60,000 in the general fund. The Local's Training Trust accounts are also in order with assets of \$22,000.

Representative Kiracofe recommended to the Board that Local 838 be granted its autonomy upon its election of officers.

International Representative and Tradeshow Division Director William Earns reported that Louisville Local

17 was successful in obtaining a term collective bargaining agreement with Allied Brede after the employer installed a tradeshow in April 2008 with a non-union crew. The local handbilled and picketed the show. Ensuing discussions between the International and the employer resulted in the new agreement that will cover Allied Brede shows in August 2008 and thereafter.

Director Earns also reported on the benefits of attending the Exhibition Services and Contractors Association meeting held in June 2008. This meeting was also attended by International Representatives Donald Gandolini and Mark Kiracofe. IATSE locals who do tradeshow work were encouraged to attend this annual event.

International Trustee Faye Harper reported on the negotiation of a new area standard tradeshow agreement in Atlanta, Georgia. The four year agreement provides for a 4% increase in the wage/benefit package each year and a \$2.00 per hour increase in the standard rigger wage rate for all ETCP certified riggers.

Representative Gandolini had issued a complaint against the

George Fern Company for refusing to execute a collective bargaining agreement with the International and Local 17 in Louisville, KY. Apparently, the company is arguing that an agreement upon increase of \$.50/hr should have been \$.50/hr increase. The claim is specious since it was the Company that drafted the CBA and presented it to the Union. A hearing is scheduled for August 6, 2008.

Nth Degree negotiations continue.

The Department provided assistance to Local 834 and Local 46 in their negotiations with GES, Freeman Decoration Services, Sheperd and Champion.

The agreements concluded wage and benefit increases and minimum standards for drug and alcohol testing. They were ratified unanimously. There are nine (9) additional signatories to the Exhibitor Appointed Contractors' agreement, which is currently up to 19 employers.

#### **IATSE NATIONAL BENEFIT FUNDS**

In their capacity as Trustees of the IATSE National Benefit Funds, a report was made to the Board by General Secretary-Treasurer James B. Wood, International Vice Presidents

Matthew D. Loeb, Brian J. Lawlor and Daniel E. Di Tolla, Assistant to the President Deborah A. Reid, International Representative Patricia A. White and Local 829 Business Agent John V. McNamee, Jr.

A summary of the Funds' activity since the last Board meeting was reported as follows:

- The Funds' Web site (www.iatsenbf.org) has expanded to allow all Plan Participants to view their individual work history information (reported employer contributions). This includes Plans A & C Health, Pension, Annuity, Vacation and 401(k). This feature helps keep Participants in touch with us and enables them to instantaneously report any missing contributions and assure that they get the benefits they are entitled to.
- The Web site's expansion also includes the ability to allow Health and Welfare Plan C Participants to: 1) view their current CAPP account balance, 2) view any applicable co-payment due for the upcoming quarter, 3) verify that their payment was received and/or 4) view the employer contributions received and applied to the next quarter's coverage. Additionally, Participants can provide dependent and beneficiary information on-line and make coverage changes (downgrade to C3, for example).
- The interactive CAPP web screens allow Participant's to link directly to a payment screen where their co-payment may be made using VISA or MasterCard.
- The Web site now permits all Participants to make address changes

on-line so that benefit information is directed to them timely. They can also indicate a vacation or a temporary on-location address as a secondary contact point.

- An Interactive Voice Response phone system at the Fund Office was initiated this year. By calling the Funds' toll free telephone number (1-800-456-FUND) Participants can hear recent employer contributions made on their behalf as well as hearing their CAPP account balance, applicable co-payment and due date as well as receiving confirmation of payments we received. Like the Web site, this feature is available 24/7.
- The next phase of the Web site, due to be released this Fall, will allow local unions participating with the Funds the ability to view employer contributions made and received by the Funds for work performed in their jurisdiction. This will enable the Locals to make certain that employers are reporting for their members. Additionally, they will be able to request reports that give the detail of the members reported, monies/funds contributed and the related work periods. We will be sending an announcement about this with a PIN for each Local to go on line and enroll those persons in their office that should have secure access to this information.
- The number of enrollees in Health and Welfare Plan C has reached an all time high of over 15,000 active covered Participants. This is largely due to the Trustees' initiatives in instituting a more

affordable Plan C3 and relaxing the re-entry requirements for those whose coverage lapsed due to non-timely payment of any applicable CAPP co-payments.

- Later in 2008 newly re-designed CAPP account statements will be introduced. These new statements are designed to be easily read and understood and are being designed to personalize information and account statuses to each Participant. The statements will include a return coupon/envelope and will go directly to a Bank Lockbox. This will insure more timely crediting of payments and more secure deposit capabilities of the Fund.
- The Annuity/401(k) Fund now enjoys the participation of almost 60,000 enrollees.
- The addition of Pension Plan C has brought the total participation in the Pension Fund to well over 10,000 individuals and growing. This addition insures that many of IATSE members will have a benefit to look forward to upon retirement. It is also important to note that the Fund is fully funded.
- The Funds' biggest milestone, the deployment of its new state of the art computer processing system is scheduled for implementation by the end of 2008 and into the beginning of 2009. This new system will enable the Funds to more aptly service its Participants and Local Unions.
- The Health and Welfare Fund was pleased to have the Local 798 Hair and Makeup Local merge on April 1, 2008.
- The Fund office now houses 70



**Trustees of the IATSE National Benefit Funds (from left to right): International Vice President/Co-Division Director, Stagecraft Brian Lawlor, Local 829 Business Agent John V. McNamee, Jr., Assistant to the President Deborah Reid, International Vice President/Division Director, Motion Picture and Television Production Matthew D. Loeb, General Secretary-Treasurer James Wood, International Vice President/Division Director, Organizing Daniel DiTolla and International Representative Patricia White.**



employees and is please to report that employer contributions are now being processed with two weeks of their receipt.

At the conclusion of the report, the Trustees presented President Short with a plaque of appreciation for his dedication to the participants of the Funds and his prudent financial stewardship as Co-Chairman of the Board of Trustees. President Short's resignation from that position was effective July 23, 2008.

#### **IATSE - PAC**

It was moved, seconded, carried by the General Executive Board to amend the Bylaws of the IATSE-PAC on two items of a housekeeping nature. The Bylaws are amended to reflect these housekeeping changes.

#### **LOCAL NO. 60, PENSACOLA, FL**

##### **Re: Trusteeship**

In February 2005, under Article Seven, Section 9, President Short assigned former International Representative Falzarano to review the books and records of Local 60. Representative Falzarano's investigation revealed that there were missing records and that payroll was running through the Local's checkbook for both the work the Local did as well as a private business. The Local had also failed to renegotiate its only collective bargaining agreement (SMG Pensacola Civic Center) for two consecutive years.

In October 2005, the Local's charter was suspended and Representative Falzarano was appointed Trustee. Representative Adams was subsequently appointed Co-Trustee in January 2006.

There is an ongoing Department of Labor investigation of two of the former officers of the Local.

In May 2008, we successfully negotiated a new agreement with SMG. The agreement includes substantial increases in wages, especially at the bottom end of the scale.

During this time, Representative Adams assisted Local 60 members with the drafting of referral hall rules and a new Constitution and Bylaws, which were approved by the International President. We also recently held elections and a slate of officers has been "in-training" to assume leadership when the Local has its autonomy restored. Therefore, Representative Adams recommended that their charter be restored.

#### **LOCAL NO. 142, MOBILE, AL**

International Vice President Brian J. Lawlor and International Representative Scott Haskell gave a report in the status of Local 142 which has been in Trusteeship for some time. Efforts are being made to rectify the issues that lead to the Trusteeship. The board voted to continue the Trusteeship pending a further report to the Board on the status of the Local.

#### **LOCAL NO. 158, FRESNO, CA**

##### **Re: SMG**

International Representative Robert Trombetta reported on developments.

Local 158 is a mixed Local in Fresno, California, and SMG is the main employer. This employer is in two venues: one at the College Campus, and the other at The Fresno Convention Center. First-time contracts have been negotiated with SMG at each of the venues and are out for ratification. Both are five-year agreements and contain wage and condition improvements over the life of the contract. The Local's members are

now covered by the IATSE National Health Plan. This will continue to be a work in progress.

#### **LOCAL NO. 224, WASHINGTON, DC**

##### **Re: Trusteeship**

On October 5, 2007, trusteeship was imposed upon Local 224 by the International and International Vice President J. Walter Cahill was appointed Trustee.

Subsequently, Brother Clarence Crews, a member of the Local, filed a claim alleging that payment was due for officer salaries, and the IATSE filed a counterclaim alleging that Crews owed unpaid referral fees. Both parties have agreed to withdraw their respective claims with prejudice, and the IATSE agrees that Crews will be considered a member in good financial standing as of the date of the agreement.

Ellen Boardman, legal counsel of O'Donoghue & O'Donoghue, and Vice President Cahill capably represented the Local and were commended for their efforts.

#### **LOCAL NO. 295, SASKATCHEWAN, SK SCIENCE CENTRE CONTRACT (IMAX) / GRAIN SERVICES CONTRACT / CONEXUS ARTS CENTRE**

International Representative Barney Haines reported on a number of assignments to assist Local 295 in Regina, Saskatchewan. Notwithstanding the failure of the local to give timely notice to bargain, International Representative Haines convinced the Science Centre to renegotiate the local's collective agreement. The negotiations are now concluded and the agreement has been ratified, with significant improvements.

Equally, a new collective agree-

ment has now been reached and ratified for the Conexus Arts Centre, the premiere theatre in the local's jurisdiction. The negotiations had been particularly problematic because previously the local had agreed to "red circle" many positions pending a pay equity study. Ultimately, the red circling was ended, the red circled categories given significant retroactive increases and other improvements achieved.

Lastly, International Representative Haines reported on the successful renegotiation of the collective agreement with the Grain Services Union (representing the local's staff). President Short complimented International Representative Haines for his efforts, which had "rescued" the local from difficult circumstances.

#### **LOCAL NO. 322, CHARLOTTE, NC**

International Vice President J. Walter Cahill reported on his assignment to assist Local 322 in its negotiation with the Blumenthal Center. A new General Manager was hired by the company, who had previously worked under Pink Contracts. This improved the relationship with the Local. The facility was renovated recently, including a new 1,200-seat theater. This theater was available for Local 322 representation, but a smaller 100-seat theater will be serviced by an existing house maintenance crew. The new contract is a four-year term with substantial wage and benefit improvements.

#### **LOCAL NO. 347, COLUMBIA, SC**

##### **Re: Trusteeship**

International Vice President Brian J. Lawlor and International Representative Scott Haskell reported on the status of the trusteeship of Local 347 Columbia, SC. Representative Haskell, acting as Trustee, advised the Board

that the grounds upon which autonomy was suspended have been rectified and the Local is drafting a Constitution. The Board voted to return autonomy effective October 1, 2008 after the Constitution is approved and an election is held.

#### **LOCAL NO. 471, OTTAWA, ON GREAT CANADIAN THEATRE COMPANY (GCTC) CITY OF KINGSTON AND CUPE**

Assistant to the President Sean McGuire reported to the General Executive Board on a number of assignments with respect to Local 471 (Ottawa / Kingston). Unfortunately, after negotiations, Local 471 found itself in a strike position with the Great Canadian Theatre Company. With the assistance of the International, a new collective agreement was reached, which not only achieved significant improvements but also incorporated for the first time into the GCTC agreement many of the protective provisions that were in the local's other theatre agreements.

The City of Kingston advised the Local that, in its view, as a result of municipal restructuring, the local's bargaining rights for the Grand Theatre in Kingston were now subsumed by the City's other bargaining rights with the Canadian Union of Public Employees (CUPE). The Local immediately filed unfair labour practice complaints against the City and CUPE at the Ontario Labour Relations Board. More significantly, the Local also filed an application for certification for all of the stage employees of the City. As a result, after mediation, the dispute was resolved with an agreement confirming the bargaining rights of Local 471 and defining the jurisdictional lines

between the local and CUPE. The City and the local are now negotiating the renewal of the collective agreement.

#### **LOCAL NO. 514, PROVINCE OF QUEBEC**

##### **Re: FADA**

International Vice President and Director of Canadian Affairs John Lewis, Assistant to the President Sean McGuire and Local 514 Business Agent Michel Charron reported to the Board on FADA Construction. FADA is a set construction company in Quebec which had been originally organized by IATSE Local 262, a front of house and projectionists Local in Quebec. Subsequently, Local 514 was chartered and flourished in Quebec. As well, Local 514 had organized the other major set construction companies in Quebec. As a result the International President determined that the greater community of interest of FADA employees lay with the other set construction employees represented by Local 514 and directed the orderly transfer of bargaining rights between the two Locals. Because the Quebec Labour Code does not provide for voluntary transfer of bargaining rights, with the support of all involved, Local 514 filed a certification application to displace Local 262 and a certificate was issued in May 2008. A collective agreement has now been finalized as well. As a result all major set construction in the province of Quebec is now being performed under the jurisdiction of IATSE collective agreements and this is true even for productions not covered by IATSE collective agreements.

#### **LOCALS NO. 514, PROVINCE OF QUEBEC, AND 667, TORONTO, ON.**

##### **Re: Bill 90 Legislation**

International Vice President and



Director of Canadian Affairs John Lewis, Local 514 Business Agent Michel Charron, Local 667 President Ciaran Copelin, Business Agent Richard Perotto and Business Manager Christian Lemay reported to the Board.

In May, after nearly two years of intervention by the Quebec provincial government, an agreement was reached between the IATSE and the rival Quebec union, AQTIS, to recognize the IATSE in legislation and outline the basis of restoring labour peace in the industry in Quebec. The essence of the agreement was incorporated in Bill 90 which was introduced in the Quebec National Assembly. The legislation would end the jurisdiction of the Status of the Artist Commission in the motion picture industry which would now be regulated by the Quebec Labour Board and would determine the line separating the jurisdiction of IATSE and AQTIS regarding production. Essentially all U.S. productions produced and financed by the studios and affiliated companies would fall under IATSE jurisdiction as well as U.S. independent production over a certain budget level. There would be a common health plan for technicians and a single training agency to administer the training tax.

However, in the face of unexpected opposition from the music video and commercial industries (or the basis the legislation would expand the jurisdiction of AQTIS beyond what was conferred by the Status of the Artist Legislation), the government withdrew the proposed bill. The government was now proposing new legislation virtually identical to the former legislation except the budget levels had been dramatically

raised to increase AQTIS jurisdiction. The IATSE has strongly communicated that it will not accept these new figures. As well the studios have now become involved in the mediation process and also indicated that the new proposed budget figures are problematic. It remains to be seen whether the government will introduce the legislation. Meanwhile Locals 514 and 667 are taking the position that there was an agreement signed in May and are prepared to honor it. To that end the Locals are taking steps to implement the single health plan.

**LOCAL NO. 558, DAYTONA, FL**

Vice President Lawlor, Division Director Bill Gearns and International Representative Adams reported on the documentation of the Books and Records of IATSE Local No. 558. The Board recommended a merger of Local 558 into Local 631 for stage members and Local 835 for trade show members.

About 40 new members joined either Local 631 or Local 835 in the Daytona area. Local 835 in particular will see an increase in employment opportunities in Daytona area by virtue of the planned construction of additional trade show space.

**LOCAL 600 ELECTION APPEALS**

Local 600 held officer elections on May 11, 2007. Local members Paul Ferrazzi, Michael Frediani, David Garden, William Roberts, Kristin Glover, Douglas Hart, and Tony Magalleta filed election protests/appeals with the Department of Labor (“DOL”) using the appeals procedure set forth in the International Constitution.

When we reported on the appeals

to the GEB in Orlando, the DOL had not issued an opinion. Since the meeting in January, the DOL issued a decision dismissing the complaint. Specifically, the DOL held that there were no violations of the Landrum-Griffin Act that may have affected the outcome of the election. President Short complimented the officers of Local 600, including Bruce Doering, National Executive Director, and Brother Alan Gitlin, National Secretary-Treasurer of Local 600, for having conducted a thorough investigation into the protests. He recounted that it was the most detailed election investigation he had seen in all his years as International President. Doering and Gitlin stated that the election and appeals had cost the Local \$150,000 but that that amount was well worth running what they always knew to be a lawful election. They remarked that the DOL’s ruling came after a lengthy investigation. The Local continues to progress.

**LOCAL NO. 665, HONOLULU, HI**

**Re: Jurisdiction**

Local 665 President Alan Omo and Business Representative Donovan Ahuna appeared by their request before the General Executive Board regarding the move of their office and asked for confirmation that the Local’s jurisdiction is in fact the State of Hawaii. President Short confirmed that it is clear that Local 665’s jurisdiction includes the entire State of Hawaii.

**LOCAL NO. 700, NATIONAL EDITORS LOCAL (U.S.)**

**Re: Foley Artists**

Special Representative Ronald G. Kutak and West Coast Counsel James G. Varga reported to the Board on the recognition of Foley Artists by the

AMPTP. Recognition was granted during the Basic Agreement negotiations in 2006. Subsequent to the granting of recognition a number of unfair labor practices had been filed. It was reported during the General Executive Board meeting held in New Orleans in February 2007, that the unfair labor practices were dismissed by the National Labor Relations Board. The only matter then outstanding was a pending decertification petition. It was reported that the decertification petition was withdrawn in January 2008. There are now more than fifty IATSE members working in the Foley Artist classification and they are represented by the Editors’ Guild, IATSE Local 700.

**RETIREMENT OF GENERAL COUNSEL STEVEN B. SPIVAK**

General Counsel Steven B. Spivak addressed the Board and announced his plans to retire his position as IATSE General Counsel after a number of years, succeeding his father Harold P. Spivak who had served as IATSE General Counsel for over fifty years.

In an emotional speech, Steve referred to the International as his “mistress” for so many years and that his family was always quite understanding of the time he was required to spend with his “mistress”.

He stated that he would miss his work for the International but it was time he spend more time with his family and enjoy his retirement years.

President Short and the Board expressed their deepest appreciation to Steve for his long tenure as General Counsel and wished him and his family the very best in the future.

**APPOINTMENT OF GENERAL COUNSEL DALE W. SHORT**

With a vacancy in the position of



**General Counsel Steve Spivak humbly announced his retirement at the San Diego Board Meeting. President Short (left) and the entire room gave him a standing ovation.**

General Counsel for the International, and in accordance with the International Constitution, President Short advised the Board of his recommendation to appoint Dale W. Short as IATSE General Counsel to be effective July 30, 2008.

Regularly moved by Vice President Loeb and seconded by Vice President Thom Davis to accept the recommendation and have a retainer on similar terms to those that were in

effect for the previous General Counsel. It was unanimously carried by the Board.

Dale Short has served as the International’s mid-West Counsel for a many years and has worked in a number of areas throughout his tenure and has a firsthand understanding of the employment practices in our industry as well as the internal structure of the IATSE.

**LOCAL NO. 707, PALM SPRINGS/PALM DESERT/HEMET/BANNING/ELSINORE/29 PALMS, CA**

International Representative Robert Trombetta reported that in 2007 he was assigned by President Short to investigate the potential for voluntary merger of Locals 614 and 707. Local 614 is located in San Bernardino, California and Local 707 is located in Palm Desert, California in Riverside County. During the course of this investigation it was discovered that certain improprieties had occurred within the administration of Local 707 as a result a hearing pursuant the IATSE Constitution and Bylaws, Article Seven Section 16, on



**Newly-appointed General Counsel Dale Short.**



the subject of Trusteeship. On March 28, 2008 Local 707 was placed in Trusteeship and International Representative Robert Trombetta was assigned as Trustee. With assistance of International Vice President-in-Charge of the West Coast Office Michael F. Miller, Jr. and International Representative William E. Gearns, Director of Trade Shows Donald Gandolini, Jr., International Representatives Mark Kiracofe and Ron Garcia and Special Representative Joseph Short several new venues were organized under the IATSE National Trust Funds. Initial collective bargaining agreements were reached, including venues in trade show Palm Springs Convention and Swank Audio Visual and legitimate theatre. There are now seven new agreements where IATSE Local 707 members are employed.

President Short pointed out the great opportunities and concurrent need to organize in this area as of Southern California. This includes trade show work, legitimate theatre and motion picture production. There is a real need to develop a quality workforce to service the potential for a great deal of potential IATSE serviced work.

#### **LOCAL NO. 720, LAS VEGAS, NV**

Local 720 President Dan'l Cook, corresponding Secretary-Treasurer Ron Poveromo, Business Representative John Hanson and West Coast Counsel James G. Varga reported on the status of the organizing of Blue Man Vegas. This is the Las Vegas production of the Blue Man Group. An election was conducted by the NLRB in May 2006 following a RC petition filed by IATSE Local 720. The election was won by a vote of 20-14 in favor of the employees being represented by Local 720. Thereafter, Blue Man Vegas refused to

bargain with the Union. Local 720 responded by filing unfair labor practices alleging a violation of Section 8(a)(5) of the NLRA. A complaint was issued and following a trial and favorable decision by the ALJ the Board affirmed the decision and ordered the Blue Man Group to negotiate. Instead of negotiating the employer appealed the Board's decision to the District of Columbia Circuit Court of Appeals. In June 2008 the District of Columbia Circuit Court of Appeals affirmed the decision of the Board.

#### **LOCAL NO. 835, ORLANDO, FL**

##### **Re: Organizing the GES Warehouse**

International Representative and Tradeshow Division Director William Gearns reported on organizing efforts in Orlando, FL along with Orlando Local 835 representatives Richard Vales, Business Representative; Herman Dagner, President; and James Lutzow, Executive Board Chair. The Local has an ongoing effort to organize employees of GES Exposition Services who work in the warehouse and who do on-site freight. These employees are currently represented by the Carpenters Union. Also intervening to get on the election ballot are the Painters Union and the Teamsters Union. All parties are currently waiting on legal issues to be resolved by the NLRB before proceeding with the election.

#### **LOCAL NO. 838, SALT LAKE CITY, UT**

Division Director of Trade Show & Display William E. Gearns, Jr., International Representatives Donald Gandolini, Jr., Mark Kiracofe and Brother Brian Faulkner of Local 838 reported on the status of Local 838, which was chartered to facilitate the filling of trade show calls in Salt Lake City.

Local 838 continues to offer training sessions and appropriate certifications for members. This has increased referral opportunities for members.

Contracts with trade show employers have all been renegotiated and meet or exceed area standards.

The job referral system has been refined and is running smoothly.

The Local is solvent and all its books and records are in order. A new constitution has been adopted and approved by President Short.

President Short expressed his appreciation for the efforts of Brother Faulkner in making this a viable local union and the Board voted to grant the Local full autonomy after local elections are held. President Short also stated that the International will continue to monitor the Local.

#### **LOCAL NO. 891, VANCOUVER, BC EXTRAS CASTING & VISUAL EFFECTS RECOGNITION**

International Vice President and Director of Canadian Affairs John M. Lewis, and International Representative Julia Neville, along with Local 891 President Ken Anderson, Treasurer Frank Haddad, Senior Steward Kelly Moon and Organizer Dusty Kelly reported to the Board on the aggressive organizing efforts of Local 891, which has resulted in over 700 individuals being brought into membership over the last year.

In particular, a group of extras casting directors and extras wranglers and assistants, previously unrepresented, have been brought together and the local is seeking voluntary recognition of this department and its inclusion in the BC Master Agreement. In April, the Directors Guild of Canada (BC Council) for the first time asserted jurisdiction over these indi-

viduals, notwithstanding that they had been previously unrepresented and that the DGC neither asserted any representational claim previously, nor had any categories for them in their collective agreements. Informal meetings between the DGC and Local 891 have failed to resolve this dispute, but it will not deter the local from establishing formal representational rights for these employees under IATSE jurisdiction.

After approximately a two-year effort (originally commencing with an application for certification on Battlestar Galactica, a Universal television series filmed in Vancouver), visual effects artists and technicians are now formally recognized as represented by Local 891 under the BC Master Agreement. The AMPTP and Local 891 recently signed a Visual Effects Letter of Adherence providing for rate increases, benefits and many terms and conditions of the BC Master Agreement for these employees. Although Canadian producers have not yet signed the Visual Effects Letter of Adherence, this represents a substantial achievement for the ongoing organizing efforts of Local 891.

President Short noted this as a report of significant progress.

#### **LOCAL NO. B-173, TORONTO/ HAMILTON, ON**

##### **Re: Trusteeship**

International Vice President and Director of Canadian Affairs John M. Lewis and International Representative Paul Taylor reported on the trusteeship of Local B-173, a front-of-house local in Toronto and Hamilton, Ontario. As reported previously, trusteeship had been imposed in August 2007 and International Repre-

sentative Christie Greenlaw had been appointed trustee. During the trusteeship, three of the local's agreements had been renegotiated; the Technicolor distribution facility, the Sony Centre (formerly the Hummingbird Centre), and Mirvish Enterprises (covering the Royal Alexandra and Princess of Wales Theatres). As well, the local had successfully filed a certification application for front desk clerks at Hamilton Entertainment Facilities Inc., where the local already represented a front-of-house unit. Negotiations for a collective agreement had proceeded at a very slow pace, but with the timely assistance of Local 129 (which represented the stagehands at the facility and was also negotiating its collective agreement at the time) an addendum to the existing collective agreement covering these desk clerks was reached and recently ratified.

The internal record keeping of the local was inadequate at the time of the imposition of trusteeship, but great strides have been made in updating the records and bringing items into order. Stewards have been appointed in all of the venues. The local's constitution is being updated and revised and should be completed shortly. International Representative Paul Taylor has been appointed to succeed Representative Greenlaw as trustee. As Ontario law requires approval of the Labour Board for extension of a trusteeship beyond one year, preparations for such approval are being made. It is hoped that the local would be returned to autonomy by the end of the calendar year.

#### **LOCAL NO. B-751, NEW YORK, NY**

International Vice President Daniel E. Mahoney gave a report to

the Board on the status of the Trusteeship of Local B-751, New York, NY. Representative Mahoney serves as Trustee of the Local.

Local B-751 has resolved numerous state and federal tax issues as well as Department of Labor reporting form issues. The Local is currently solvent for the first time in years. The Local has 169 members. The Local won an NLRB election at Lincoln Center and negotiations are underway.

Representative Mahoney advised the Board that autonomy can be restored. The Board voted to restore autonomy effective September 1, 2008.

#### **LOCAL NO. 285, NORFOLK, VA**

##### **Re: LIVENATION**

International Vice President Walter J. Cahill reported in his assignment to assist Local 285 at the Virginia Beach Amphitheatre. The relationship was strained but a contract was obtained with Live Nation through Vice President Cahill's contacts. The only promise being that the International had to be the signatory union.

The Local refers all employees to the facility and the contract has been concluded with Live Nation the operator of the venue.

#### **MERGER OF IATSE LOCAL NOS. 790, 800 AND 847, LOS ANGELES, CA**

It was reported that the merger of Local 790 and Local 847 into Local 800 became effective on July 1, 2008. The matter is currently the subject of litigation in the federal court and is the subject of investigation at Region 31 of the National Labor Relations Board.



### MOTION PICTURE INDUSTRY PENSION AND HEALTH PLANS

It was reported that as of December 2007 both the Pension and Health Plans were in solid financial condition with each having healthy reserves. The twelve-year period from 1996 through 2007 had the largest benefit increases in plan history which on a compounded basis totaled 84%.

The investment returns of the Plans have averaged 8.1% annually over the last 10 years and 9.9% annually over the past 20 years. It was reported that these figures exceed all major indexes and have outperformed the other West Coast plans.

During the period of 1996-2007 the Individual Account Plan grew from \$308 million to \$2.2 billion. This growth was a product of investment income of \$980 million, negotiated allocation of health reserves during 1997-2001 totaling \$336 million and the balance coming from negotiated contribution increases beginning at 1% in 1997 and increasing to 6% in August 2008.

The mergers of Locals 644, 666, 700, 52 and 161 into the Plans has afforded those members to enjoy some of the best coverage available.

Looking forward there will be serious financial pressure on the Plans from a variety of sources. First discussed was health care cost inflation which during the period of 1996-2007 averaged over 15% per year. The Plan's revenues have been growing at 3% per year.

Other pressures on the Plans include:

- 1) Hours worked are down and have been adversely impacted by the WGA strike.

- 2) Funds from residuals flow into the Pension first with the excess into Health. The growth of this revenue has flattened.

- 3) The Pension Protection Act has raised the actuarial standards for funding of the Pension Plan.

- 4) Trends in production and programming have reduced working hours.

The confluence of the above events will put extreme pressure on the Benefit Plans. The Union side representatives to the Plans have taken active and aggressive involvement in the operation to insure that they are being operated as efficiently as possible.

### FREELANCE BROADCASTING EMPLOYEES LOS ANGELES AREA

International Vice President Daniel E. Di Tolla and International Representative Sandra England appeared before the Board to report on a group of freelance broadcast employees in the Los Angeles area who expressed an interest in representation by the IATSE.



**International Vice President/Director of Canadian Affairs John M. Lewis (center) reported on the matter of PS & William White-Organizing, with Senior Steward Kelly Moon and Treasurer Frank Haddad of Local 891.**

### PS & WILLIAM F. WHITE ORGANIZING

International Vice President and Director of Canadian Affairs John M. Lewis, International Representative Julia Neville, and representatives of Local 891, including President Ken Anderson, Treasurer Frank Haddad, Senior Steward Kelly Moon and Organizer Dusty Kelly reported to the Board on this matter.

Local 891 had been organizing both inside and outside its traditional jurisdiction in the Vancouver area. William F. White is the largest equipment rental shop in Canada with outlets in Vancouver and many other Canadian centres. Local 891 had made an earlier unsuccessful certification application for Whites in Vancouver. An unfair labour practice had been filed when Whites had terminated 16 employees during that earlier application and which had been settled. Local 891 filed a second certification application in February 2008 relying on the inclusion of the 16 employees pursuant to the unfair labour practice settlement. The employer objected to their inclusion and the British Columbia Labour Rela-

tions Board in a decision in May 2008 upheld the employer's objection. As a result the Local had insufficient support to have the ballots counted. The Local has determined further appeal of this ruling would not be fruitful.

Notwithstanding this set back the International is now coordinating organizing efforts, both for Whites and P.S. (the second largest equipment rental shop in Canada), not only in the Vancouver area but throughout Canada. President Short encouraged continued organizing and the filing of further applications for certification throughout Canada and assured the support of the International for such efforts.

### PIRACY

International Vice Presidents J. Walter Cahill and John M. Lewis, Assistant to the President Deborah Reid and International Representative Daniel Mahoney reported on the meeting with members of Congress regarding the losses of billions of dollars because of piracy in Russia and China in particular. The latest theatrical releases are illegally copied and available in China and Russia within days of its U.S. release.

In Canada it has been made a crime punishable by 2 to 5 years in prison to private product under copyright.

New York City enacted new measures and staff to investigate and prosecute piracy. The State of New York also passed legislation to combat piracy.

### POPEJOY THEATER

International Representative Donald Gandolini, Jr., gave a report to the Board on Local 423, Stage Services, on payroll service and the Popejoy Theater at the University of New

Mexico. Stage Services was declared unfair and some Local 423 members ignored the order and were expelled from Local 423. Charges were also pending against some of those same individuals before Local 480.

Currently at the Popejoy Theater, it has been determined that a request for proposals will be issued to solicit bids to service the Popejoy. Representative Gandolini will monitor the situation to determine which company is awarded the right to service the Popejoy.

### RACHAEL RAY SHOW AGREEMENT

International Vice President Daniel E. Di Tolla, Director of Organizing, reported on the organizing campaign for employees of the Rachael Ray Show, a morning talk show produced by King World Productions. The IATSE collected authorization cards from the employees in an appropriate unit and then demanded recognition based on its majority showing.

With assistance from President Short and Vice President Matthew D. Loeb, Director of Motion Picture & Television Production, an initial contract was negotiated that became an addendum to the Videotape Supplemental Agreement. The employees were inducted into Locals 52, 100, 600 and 700 based on their respective crafts.

President Short noted this as a report of progress.

### 2008 PRESIDENTIAL DEBATES

International Vice President Brian J. Lawlor reported on the negotiation with John Hullerman & Associates covering the 2008 Presidential Debates. This is the third agreement with this company. It provides substantial work for our locals in areas where the

debates are held. The Pink Contract employees also travel with this company during the campaign period.

### RIVERDANCE and LOCAL NO. 500, STATE OF FLORIDA / KRAVIS CENTER

Vice Presidents and Co-Division Directors Anthony DePaulo and Brian J. Lawlor gave a report to the Board on the production of Riverdance at the Kravis Center. Local 500 has a longstanding dispute with the Kravis Center. Riverdance was scheduled to perform in the Kravis Center. Local 500 sought to picket Kravis. This was determined to be a purely local matter and the Local set up pickets and the Pink Contract employees honored the Local's pickets.

Riverdance eventually dealt directly with Local 500 and concluded an agreement for the one show. Unfortunately, this left the Pink Contract employees out of salary, but this was made up by the International. It also removed any leverage Local 500 had with the Kravis Center. Although the International had no involvement in the matter, the actions of Local 500 were puzzling to say the least.

### SAN DIEGO CONVENTION CENTER AND LOCAL NO. 122

Division Director of Trade Show and Display, William E. Gears, Jr. and Brother Carlos Cota, Local 122 Business Agent, reported on a jurisdictional dispute with the Painters Union over rigging at the San Diego Convention Center. The contractor was being changed so that a Painters Local from Los Angeles would have jurisdiction to replace IATSE Local 122 at the Convention Center. Through the intervention of the International, the National Painters Union



agreed to share jurisdiction with Local 122 at the Convention Center in a manner that actually provides expanded work opportunities for Local 122.

#### **SECTION 41 – INDUSTRIAL REVIEW**

International Vice President and Director of Canadian Affairs John M. Lewis reported to the Board on this matter.

On February 4, 2008, in response to requests from both the American and Canadian employer groups, the British Columbia Labour Relations Board commenced a review of the British Columbia film industry pursuant to Section 41 of the BC Labour Code. The earlier review in 1995 had resulted in the establishment of the BC Council of Film Unions (consisting of IATSE Locals 669 and 891 and Teamsters Local 155) with exclusive jurisdiction over projects in excess of 4 million dollars.

Concerns about stability in the BC film industry prompted this review, particularly concerns about labour disruption by unions (and particularly the UBCP – the actors' union in BC) which were not part of the Film Council and concerns about Film Council certification applications for projects outside of its exclusive jurisdiction (whether non-union or signatory to voluntary recognition agreements with the rival union, ACFC).

The BC government, in announcing the Section 41 review, indicated it would take place in three phases:

- 1) Expansion of the Film Council to include the UBCP and the Directors Guild of Canada
- 2) Creation of a new Master Agreement to address the expanded Council

3) Non-exclusive jurisdiction representation rights.

The BC Labour Board had been conducting informal meetings with the various stakeholders, including the International.

In a preliminary decision, dated June 3, 2008 the Board indicated it wished to proceed on the basis of consensus and requested the informal process continue as long as possible. It also refined the list of issues:

- 1) The bargaining tactics of the UBCP – the Board indicated there may be ways to resolve these concerns other than inclusion in the Film Council.
- 2) The collective bargaining approach of the CFTPA (Canadian Film & Television Production Association) – the Board signalled concerns with the practice of the Canadian producers (the CFTPA) not to bind their members to the Master Agreement despite participation in the bargaining, then using the “low budget” tiers to “shop” the agreement with the ACFC.
- 3) The line between exclusive and non-exclusive jurisdiction – notwithstanding the exclusive jurisdiction of the Film Council, 80% of the production done by Council members is still in the non-exclusive jurisdiction. Possible creation of an exclusive jurisdiction for ACFC (in the previously non-exclusive jurisdiction) or restrictions on the ability of Film Council members to organize in the non-exclusive jurisdiction (including productions that sign voluntary recognition agreements with ACFC), are extremely problematic.

Originally, the Section 41 Review was to be completed prior to the commencement of

bargaining for the renewal of the Film Council Master Agreement in the fall of 2008. That may be unrealistic if the Board continues its informal process in an attempt to achieve consensus, but that is all dependent on the actions of the BC government, which in the past has not been slow to react to the demands of the American studios. President Short indicated the International would continue to participate in the review to protect the best interests of the IATSE and its members.

#### **“SIT DOWN/SHUT UP” SONY WGA**

International Vice President and Division Director of Motion Picture and Television Production, Matthew D. Loeb, and International Vice President-in-Charge of West Coast Office, Michael F. Miller, Jr., reported on recent developments involving SONY. Vice President Miller reported that he received a telephone call from a labor relations representative during which he was advised that SONY was considering sub-contracting production of an animated series called “Sit Down and Shut Up.” The show is currently produced by a SONY affiliate named Adelaide Productions. Adelaide has been signatory to an IATSE Local 839 contract for many years. Despite the contract covering all craft work including writing for the animation series, SONY was contemplating sub-contracting out work to a company called “Rough Draft.” When he was advised of this development President Short spoke to the head of labor relations at SONY to make it clear that this pro-

posed plan was seen as a way to circumvent the IATSE contract and to turn the work over to WGA jurisdiction. Ultimately, SONY backed off this ill-advised strategy and the project was covered under the existing IATSE contract.

This is another example of the need of the IATSE to continuously police its jurisdiction including the need for members to call in to their Locals when they are working on production jobs.

#### **UNION SAVINGS BENEFIT PROGRAMS**

International Vice Presidents John M. Lewis and Damian Petti reported to the Board. There previously had been no membership affiliation savings program available to Canadian IATSE members (who were ineligible for the program available to U.S. IATSE members). As a result of the work and research of Krista Hurdon, the IATSE Canadian Office Operations Manager, an agreement has now been entered into with Union Savings, offering Canadian IATSE members savings on MasterCard, insurance (accident, long term care, critical illness, home and auto), cell phones and real estate/mortgage consultant services. The program has been a great success with more IATSE members becoming registered than any other union affiliated program in the first few months.

#### **WEST COAST OFFICE**

International Vice President-in-Charge of the West Coast Office Michael F. Miller, Jr., International Representatives Lyle Trachtenberg, Steve Aredas, Gavin Koon, Robert Trombetta, Ron Garcia and West Coast Counsel James G. Varga

appeared before the Board to give the West Coast Office report. Vice President Miller reported that the West Coast Office staff was recently increased by one clerical position to compliment the workload. This was part of a broader restructuring of the office for a more efficient utilization or resources. The West Coast Office is not exclusive to any particular crafts of the IATSE. International Representatives deal with all crafts, while each has certain areas of developed expertise, and in fact represents the IATSE and deals with issues arising in all the crafts represented by the Unions. Recent activities include successful negotiation with the Academy of Motion Picture Arts and Sciences and Fox Sports International. Several of the International Representatives are involved in charity work including the Motion Picture Television Fund and the Wounded Marine Careers Foundation. Five of the International Representatives are delegates to various labor affiliations in the Southern California and statewide organizations.

The West Coast Office building includes tenancies with The Will Rogers Foundation and AT&T. This brings approximately \$100,000 per year in income to the IATSE, which helps to offset operating expenses of the West Coast Office.

At the conclusion of the report, Vice President Miller made a motion, which was unanimously carried by the General Executive Board, to rename the “West Coast Office” building as the “Thomas C. Short Building”.

#### **WILL ROGERS MEMORIAL FUND LEASE**

International Vice President-in-Charge of the West Coast Office

Michael F. Miller, Jr. and International Representative Gavin Koon reported on the Will Rogers Memorial Fund, which is a tenant in the IATSE West Coast Office building. The current lease term expired on June 30, 2008. Following successful negotiations, favorable terms were reached and the parties entered into a new five-year lease. The Will Rogers Memorial Fund occupies the third floor of the IATSE West Coast Office building in Toluca Lake, California.

President Short stated that the IATSE has had a longstanding relationship with the Will Rogers Memorial Fund and the lease negotiated is a reflection of the important work performed by this charitable organization.

#### **RETIREMENT OF INTERNATIONAL PRESIDENT THOMAS C. SHORT**

After 40 years of active IATSE involvement, 21 of those years as an elected official, President Thomas C. Short submitted his letter of resignation to General Secretary-Treasurer James B. Wood. President Short stated that this decision was not health related or politically motivated. He praised the quality and commitment of the current representatives and stated his profound confidence in them. His decision was based simply on the fact that there is a great deal in life that he desires to experience and enjoy and the time had come to do so.

On his many achievements, he felt that the one, which is most important, is the quality of the General Executive Board, which he described as the finest in the history of the International. President Short described himself as “the luckiest



man alive. We have turned around the I.A. and it has been the collaborative effort of all members.”

In attendance was his son, Joe, and surprise guests, his two daughters, Tammy and Tracey who was accompanied by her husband, Mark.

On behalf of the General Executive Board, General Secretary-Treasurer Wood presented President Short with a Steuben Glass crystal lion with the inscription: “The I.A.T.S.E. General Executive Board wishes to recognize International President Thomas C. Short for his courage, dedication and unrivaled achievements.” He stated the bond and loyalty between President Short and the members of the General Executive Board was mutual.

At the time of President Short’s announcement, the Directors Guild of America (DGA) was represented at the Board meeting by National Executive Director Jay Roth, President Michael Apted and Academy Awards Director Gil Cates. President Apted stated that President Short was going out at the top of his game and trade unionism was in his ilk, his blood. He admitted that with his English reserve, President Short’s decisive and straightforward manner occasionally somewhat unnerved him. He said President Short knew how to make things happen and had made the IA the powerhouse of the industry. He praised the alliance between his Guild and the IA and closed with “We will miss your colorful, irreplaceable personality. Good luck, may life be good.”

Gil Cates commented on President Short’s steadfast honesty and courage, the special relationship between the IA and DGA and of loyalty.

AFTRA was also represented at the meeting by its National Executive Director Kim Hedgpeth-Roberts who read a letter from AFTRA President Roberta Reardon. Kim conveyed their thanks and appreciation and complimented President Short as a brilliant strategic thinker, a real union man.

Prominent entertainment industry attorney Howard Fabrick also attended the session and described himself as a 42½ year observer of the IA. He reminisced over key accomplishments of President Short that took courage, including national contracts, mergers, shifting of jurisdiction to the IA. These took courage, leadership and foresight and made the below-the-line employees stronger.

A number of local unions also made presentations to President Short, as follows:

Local 33 expressed their appreciation for President Short’s wisdom and leadership and presented a donation to the Sandra Berke Jordan Memorial Fund, tickets to Disney Concert Hall and a Membership Gold Card.

Local 44 was represented by Ed Brown who praised President Short’s dedication to working conditions and benefits which have greatly helped Local 44’s approximate 6000 members.

Representing Local 80, Thom Davis and members cited President Short’s assistance in organizing marine departments, which are now recognized throughout the country. They pledged to continue aggressive organizing efforts.

For Local 52, a contingency led by John Ford said they had a surprise for President Short but it was late in arriving and would be presented shortly.

The San Diego host Locals 122, 405 and 795 presented President Short with a key to their city and a gold pin. They thanked President Short for helping their Locals become real unions and for his assistance to small Locals through out the alliance.

Local 600 was represented by National Executive Director Bruce Doering, National Secretary-Treasurer Alan Gitlin, Eastern Regional Director Chaim Kantor, Rusty Burrell, David Blake and others. Brother Doering referenced President Short’s accomplishments such as establishing the IAP and low budget contracts.

He stated President Short had pretty much maximized the IA’s leverage in every situation. He described President Short as a visceral, unforgettable leader who recruited the best and brightest. The Union presented the gift of a Home Entertainment Center and a Membership Gold Card.

Local 695 Business Agent Jim Osburn related some revealing anecdotes concerning President Short and his late father, “Junior” Short. In an emotional presentation, Brother Osburn gave President Short a Commandant’s letter from the U.S. Marine Corp in appreciation for the Wounded Marine Careers Foundation program. He also presented an American Flag with symbolic bands representing each of President Short’s campaigns. Brother Osburn closed by stating if he ever had to go back on the line, he would want Tom Short standing next to him.

Local 700 Executive Director Ron Kutak, and Assistant Executive Directors Cathy Repola and Paul Moore, presented a framed banner of the 1998 World Champion Cleveland

Indians. Brother Kutak stated President Short was brave enough to tell the truth and was able to build consensus. He stated that the discipline and time that President Short put into his job was awe-inspiring.

Local 705 Business Agent Buffy Snyder presented a contribution to the Sandra Berke Jordan Memorial Fund and thanked President Short for his resolve, unconditional support and for providing the freedom to grow.

Representing Local 706, Business Agent Tommy Cole and President Susan Cabral Ebert thanked President Short for his belief in their Local, his guidance and mentoring, for his contribution and accomplishments relative to Pension and Benefits. The Local presented a donation to the Motion Picture and Television Fund.

Local 729 Business Agent George Palazzo cited the accomplishments of the 6% contribution to the IAP and wage increases. Brother Palazzo also said a mystery package, a gift from Local 729, awaits President Short at his home.

Local 800 Executive Director Scott Roth spoke and stated that President Short had revolutionized the IA; that he had provided equity and stability. He described President Short’s tenure as less of a job, more of a calling. Local 800 presented President Short with a signed, framed photograph of the greatest pitcher of all time, Bob Feller (Cleveland Indian Great).

Representing Local USA 829, Brother Michael McBride thanked President Short for the reaffiliation of the United Scenic Artists with the IA.

Local 839 Business Representative Steve Hulett (Cartoon Animators) said President Short was always there

when needed and presented him with a hand-produced caricature of President Short.

Costume Designers Local 892 representatives stated they were saddened that President Short was leaving and presented a portrait of President Short in costume as a knight in shining armor.

The Studio Mechanics Locals recognized President Short’s focus on being politically active and presented President Short with contributions to the IATSE Political Action Committee made in his honor.

International Representative Patricia White thanked President Short on behalf of every member of the Wardrobe craft in the I.A. She related that at times when things were going the bleakest; that upon President Short’s involvement she would experience the feeling described as “Oh thank God, it’s almost over. Now we’re going to win.”

Canadian Locals presented President Short with a sport outing package of deep sea fishing in Northern British Columbia.

International Representative Dan Mahoney spoke of President Short’s loyalty, friendship, character and integrity. He also made reference that President Short was not the type of man to be concerned about polishing his image at the price of character. On behalf of all the International Representatives and Assistants to the President, Representative Mahoney presented President Short with a golf trip to Pebble Beach, California.

I.A. Midwest Counsel Dale Short, recounted the moment approximately 20 years ago, having suffered the loss of their father, “Junior,” that President Short “picked up the torch” and commenced his first campaign for national office. Dale said perhaps the more important legacy was his act today, to not stay in office too long as may have happened occasionally in the past.

#### ELECTION OF INTERNATIONAL PRESIDENT MATTHEW D. LOEB

The General Executive Board met in executive session and voted unanimously to elect International Vice



President Emeritus Short gave the Oath of Office to newly-elected International President Matthew D. Loeb and International Vice President Craig P. Carlson.



President Matthew D. Loeb to fill the vacancy created by the retirement of Thomas C. Short.

Matthew D. Loeb, Director of Motion Picture and Television Production/Now International President, thanked President Short for providing the path to the future. He stated we will survive and succeed if we do this together. He stated that he had been reviewing the IA Constitution and it is all there right at the beginning under the purpose clause, to achieve by organization and mutual endeavor.

President Emeritus Short administered the oath of office to President Loeb.

**ELECTION OF INTERNATIONAL VICE PRESIDENT CRAIG P. CARLSON**

In executive session the General Executive Board voted unanimously to fill the vacated position of International Vice President, as created by the election of President Loeb, with Brother Craig P. Carlson of Chicago Stage Local 2. Vice President Carlson has served on the Executive Board of Local 2 since 2002 and was first elected to the position of the Local's Business Manager in 2005 and was reelected this year without opposition.

President Emeritus Short administered the oath of office to Vice President Carlson.

**MOTION PICTURE & TELEVISION PRODUCTION DEPARTMENT**

Michael F. Miller, Jr., Vice President-in-Charge of the West Coast Office reported on the Motion Picture Division. There are currently 822 production companies producing under the commercial agreement. There are more than 90 companies currently

signatory to term feature contracts working under the Basic Agreement or the Area Standards Agreement. Future term contracts are formed with those companies with whom IATSE has a proven track record.

There are not specific terms uniformly or routinely in any of the contracts, although many contracts may result in negotiated similar terms. Reference was made to certain companies and new contracts that reflect changes in the industry and play a part in new media.

International Representative Daniel Mahoney reported on various aspects of some of the template contracts. In the low budget area, many of the independent production companies have been signed to term contracts and thereafter project agreements instead of one-off contracts. This is a feature of a past, proven track record as a company who enjoys a good, respectful relationship with the IATSE.

International Representative Steve Aredas gave an update on commercial agreements. This is an area that provides a great deal of work for IATSE members.

Reality television is a source of a great deal of production work but does not provide the same levels of work the traditional scripted television. For example, a snapshot of the television viewing schedule shows that a significant amount of prime time programming falls into the reality, non-scripted genre. This has a big impact on employment levels for IATSE members and the MPIP benefit plans.

Jurisdictional issues arose when several other unions or guilds have tried to encroach on IATSE jurisdic-

tion. This phenomenon requires continuing vigilance on the part of our members and magnifies the need for all members to call into their local unions when they are working on productions.

John M. Lewis, International Vice President and Director of Canadian Affairs, reported on the development of greater numbers of low budget feature production being signed to IATSE contracts in Canada. We are also seeing an increased number of Canadian producers going to the United States to film, whereas in the not-too-distant past, it was the other way around. The result is that the productions are getting signed to both American and Canadian contracts. The IATSE is working to develop better protection in the Canadian contracts to protect paychecks security in the face of bankrupt or recalcitrant production companies.

International Representative Lyle Trachtenberg reported that 300,000 work hours contributed to the Motion Picture Industry Pension and Health Plans in the last quarter for low budget theatrical productions. Organizing is active in areas of webisodes and productions designed for the internet in new media. The IATSE is in discussion with "promo" producers who made advertising films seen mostly on television to introduce new series and returning shows.

International Representative Joel Youngerman reported on the high level of movie production occurring in New Mexico and Arizona. Several studio facilities have been built in the Albuquerque area in New Mexico. Production in Texas is down from where it had been over the past few years. Not a great deal of production



**The IATSE General Executive Board (from left to right-standing): International Vice Presidents Craig Carlson, Daniel DiTolla, Michael F. Miller, Jr., Brian J. Lawlor, John T. Beckman, Jr., John Ford, John Lewis. From left to right-sitting: International Vice Presidents Damian Petti, Thom Davis, Michael Barnes, General Secretary-Treasurer James B. Wood, International President Matthew D. Loeb, International Vice Presidents Timothy Magee, J. Walter Cahill and Anthony DePaulo.**

work is happening in Arizona. The unequal playing field across various states reflects the tax incentives from state to state.

International Representative Scott Harbinson reported on the activity in the eastern and southern states. The landscape has changed in this area with more productions being produced by IATSE members than was the case a decade ago. Members are much more unified than ever before.

The IATSE audit program continues as the method to monitor the budget tier levels of the low budget productions. The positive side of this monitoring results in a greater number of the low budget producers self-reporting when a budget overrun occurs in excess of the initial budget cap.

To gain paycheck security a deposit is generally required as a result of the negotiated terms of low budget production contracts.

This is recorded as a report of tremendous progress.

**APPOINTMENTS OF MICHAEL F. MILLER, JR. AND DANIEL MAHONEY FOR THE MOTION PICTURE AND TELEVISION PRODUCTION DEPARTMENT**

At the conclusion of the Motion Picture and Television Production report to the Board, President Loeb announced that he had appointed Vice President Michael F. Miller, Jr. to the position of Director of the Motion Picture and Television Production Department. The appointment became effective immediately.

In addition, President Loeb also announced that he was creating a new position called Assistant Director of Motion Picture and Television Production and that he was appointing International Representative Daniel Mahoney to be the first to hold the position.

**LOCAL NO. 12, COLUMBUS, OH**

International Representative Michael David reminded the Board that the organizing at the Columbus

Symphony Orchestra had been reported on during the General Executive Board meeting in St. Louis. He stated that the organizing had initially not been controversial but it soon became highly contentious. The drive resulted in two elections, the second of which the Local won. The Local has been certified as the bargaining representative for stage employees at the Symphony. International Representatives Joseph Short and Michael David assisted the Local in collective bargaining negotiations, which resulted in a new job description for production manager, wage and benefit increases, and I.A.T.S.E. National Health Fund benefits. They stated that tremendous leadership had been exercised by the Local's Business Agent, Jason Gay. President Short commended the Local, stating that it is progressive and that its efforts at the Columbus Symphony Orchestra and elsewhere were reports of progress.



**NAILED**

International Representative Daniel Mahoney and Assistant Director of Motion Picture Division, Brother Paul Moore of Local 700, Brother Chaim Kantor of Local 600, Sister Lynne Twentyman of Local 161, and Brothers Joe Cuervo of Local 798 and Jason Rosin of Local 491, reported on the escapades involving a company called Capital Films producing a feature called “Nailed”. This production continuously failed to make payroll to the crew. Finally, after several shutting down the production until payroll wee not the IATSE agreed to

crew the show upon the production making a sufficient deposit to secure future payroll. The IATSE does not encourage a crew to work when a production company does not meet its payroll obligation.

**ADJOURNMENT**

Having completed all business properly brought before it the General Executive Board meeting was adjourned at 10:20 a.m. on Friday, July 27, 2007.

**REPORT OF THE DEFENSE FUND COMMITTEE**

held at the

**WESTIN GASLAMP QUARTER • SAN DIEGO, CALIFORNIA • JULY 29, 2008**

In conjunction with the Mid-Summer Meeting of the General Executive Board, the Defense Fund Committee met at 12:50 p.m. in the Pavilion of the Westin Gaslamp Quarter, San Diego, California.

Present at the meeting were Committee Members: International President Thomas C. Short; Vice Presidents J. Walter Cahill, Matthew D. Loeb and John Lewis; as well as General Secretary-Treasurer James B. Wood; General Counsel Steven B. Spivak, Mid-West Counsel Dale Short, West Coast Counsel Jim Varga, Canadian Counsel Bernard Fishbein, In-House Counsel Samantha Dulaney and Associate Mid-West Counsel John Shepherd.

Appearances were made before the Committee by International Vice President Jack Beckman on behalf of Local No. 6-St. Louis; Business Manager Richard McLaughlin and International Vice President Daniel Di Tolla on behalf of Local No. 11-Boston; Business Agent Carlos Cota on behalf of Local No. 122-San Diego; Business Agent Charles Buckland, IV on behalf of Local No. 84-Hartford; Business Agent Silvana Fernandez and International Vice President and Director of Canadian Affairs John Lewis on behalf of Local No. 863-Montreal;

International Representative Mark Kiracofe on behalf of Local No. 731-Rapid City/Black Hills.

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

Local No. 6- St. Louis, MO	\$28,115.59	Legal
Local No. 731- Rapid City, SD	2,952.27	Legal
Local No. 805- St. Louis, MO	6,371.50	Legal
Local No. 11- Boston, MA	19,903.24	Legal/Printing
<b>TOTAL</b>	<u>\$57,342.60</u>	

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 IA Constitution, and such local unions have been so notified.

The meeting adjourned at 1:55 p.m.

Respectfully submitted,  
s/Thomas C. Short  
s/J. Walter Cahill  
s/Matthew D. Loeb  
s/John M. Lewis