

East Fork Professional Firefighters International Association of Firefighters



Local – 3726

Constitution and Bylaws

May 1st 2014

Article I

Organization Name

Section 1 The name of this organization shall be: East Fork Professional Firefighters; International Association of Firefighters Local 3726.

Section 2 References in this Constitution and Bylaws to “Local” or “Local Union” or “EFPF” shall refer to the Local set forth in section 1, and references to “Association” or “International” or “IAFF” shall refer to the International Association of Firefighters.

Section 3 This Local Union, it’s officers, representatives, and members shall recognize, observe, and be bound by the provisions of the Constitution and Bylaws of the International Association and the interpretations rendered by the General President, the resolutions, decisions, and directives of the Executive Board or Officers of the Association when made in conformity with the authority granted by the Constitution and Bylaws of the Association, and the resolutions adopted and the policies established at the conventions. Article XIII of the Constitution and Bylaws of the Association is recognized as providing the basic rules governing this local.

Article II

Jurisdiction

Section 1. Jurisdiction shall be as follows: All full-time, paid employees engaged in firefighting, emergency medical or rescue service activates, or related services; provided, however the Local may allow other categories of employees as allowed by applicable state or federal law.

Probationary employees are allowed membership with the knowledge that under Nevada NRS and Douglas County Employee Rules the employee is considered an “At Will Employee” during their probation period and that the Association will have limited power in representation during disciplinary procedures.

Section 2. In the event of the addition of new classifications, or the inclusion of existing classifications within the jurisdiction, this article shall be amended.

Article III

Membership

Section 1. Any person eligible for membership in this Local shall not be refused membership, or upon acceptance, be discriminated against because of race, color, gender, creed, national origin, sexual orientation or by reason of being handicapped.

East Fork Professional Firefighters, Local 3726 and the IAFF, stand opposed to any kind of discrimination. This includes harassment because of race, gender, sexual orientation, ethnic background, religious beliefs, or handicap. Local 3726 and the IAFF believe that discrimination can best be stopped in both its open and hidden forms by encouraging all people to live by the principle that every person is entitled to the same basic rights. Furthermore, that all individuals, whether they be members or not, are entitled to full equality under the law.

Local 3726 firmly believes that it cannot operate effectively as an organization unless it commits itself to eliminating the practice of discrimination and harassment in the fire service. It is a commitment of Local 3726, its Officers, Executive Board, and each of us as firefighters, paramedics and EMTs to ensure that all brother and sister members receive fair and equal treatment while performing their jobs.

Section 2. Active - Any person of good moral character, who at the time of application, is engaged in service within the jurisdiction of this Local as given in Article 2, will be eligible for active membership.

Section 3. Honorary - For meritorious service to this Local, or for distinguished public service, persons may be elected honorary members by a majority vote. Honorary members shall not pay initiation fees, dues, or other charges, have no vote or voice in the Local, but may display the insignia of the IAFF. Honorary members membership may be revoked for cause, by a majority vote of the membership.

Section 4. Retired - Active members in good standing who retire from service within the jurisdiction are eligible to become retired members of this Local. Retired members will pay dues in the amount set forth by the IAFF and have the same rights as active members. Membership of a retired member can be revoked by a two thirds (2\3) vote of the membership.

Section 5. Maintenance of Good Standing - Membership in good standing includes any person who has fulfilled the requirements for membership in this Local, and who has not voluntarily withdrawn, become ineligible for continued membership, or been suspended or expelled as provided in the Constitution and Bylaws of the International or the Constitution and Bylaws of this Local.

Section 6. Separation - When any member in good standing becomes separated from the fire service, or by virtue of promotion and who are precluded by law, local ordinance or contractually from holding Association membership, the local union may allow said member to retain his active membership or, in lieu thereof upon request of said member shall issue him a withdrawal card. A member with a valid withdrawal shall have any reinstatement charges waived upon reentry in to this Association. A member, who is duly elected as an officer of the International Association of Firefighters, or elected or appointed as a representative of or to an affiliated labor organization, shall retain his active membership in this local.

Section 7. Resignation - A member, by their own free will, who chooses to resign from Local 3726 shall present in writing, with date and signature, their intentions to the Local 3726 President. A twenty-four hour "cool down" period is required before a letter of resignation

may be accepted. Assessed dues or fees, which have been paid to the Local and International, are not refundable. Upon resignation, the member loses any membership rights, privileges, or voice bestowed by this Local or the International. Members considering resignation should review Article III, Section 8.

Section 8. Reinstatement - A resigned member may request to be reinstated into this Local by submitting a written request to a Local 3726 President. The resigned member shall not be eligible for reinstatement unless he\she, upon application of reinstatement pays all backed dues to the time he\she withdrew from the Local. The President shall review all reinstatement requests prior to presenting the reinstatement request to the membership at a Local general meeting. The proposed member is reinstated as a member in good standing by a majority membership vote.

Section 9. Delinquent Members - Members who fail to pay their monthly dues or assessments by the fifteenth (15th) day following the month such dues are payable, shall be notified by the Treasurer, that they are delinquent and will be automatically suspended and lose their good standing if payment is not made within sixty 60 days following such notification. Delinquent and suspended members are not entitled to voice or vote in the local or in the affairs of the International.

Article IV

Meetings

Section 1. Regular General Membership Meetings

Regular general membership meetings of this Local shall be held quarterly. The dates and times will be decided by the Executive Board. At least fifteen (15) days advance notice of all meeting times and dates will be given, with the exception of Article IV, Section 2.

Section 2. Special and Emergency Meetings

Special Meetings may be called by the President OR by a majority vote of the Executive Board OR by a majority vote of all members in good standing within the Local. All members in good standing shall be notified in writing or by electronic notification of such special meetings at least 7 days prior, unless the meeting is of such an urgent nature then an Emergency meeting may be called with 3 days prior. The notice shall state the business to be considered at such meeting, and no other business other than that stated shall be discussed at such meeting. Any meeting can be canceled by the President with majority agreement of the Executive Board.

Section 3. Executive Board Meetings

Executive Board meetings will be held monthly and scheduled at the end of each calendar year for the next year. A meeting may be called by any member of the Board with a minimum of

twenty four (24) hours' notice. Any meeting can be canceled by the President with majority agreement of the Executive Board.

Section 4. Quorum

The quorum for any Regular, Special, or Emergency meeting of this local, shall be one quarter (25%), plus one (1) Executive Board Member in good standing.

The quorum for any E-Board meeting, regular or special shall be 50% or greater of voting E-Board members.

Section 5. Rights of members

Every member in good standing shall have the right to attend any regular, special or Executive Board (Executive Board meetings may have closed sessions as required) meeting and participate in such meeting in accordance with the recognized rules as set forth in the Manual of Parliamentary Procedure adopted by this Local. Members shall conduct themselves in such a manner as not to interfere with the legal or contractual obligations of the International or of this Local.

Section 6. Rules for meetings

The rules contained in Robert's Rules of Order for Meetings shall govern the meetings of this local in all cases not in conflict with this Constitution and Bylaws, or the Constitution and Bylaws of the International, or interpretations of these documents.

Article V

Officers and Elections

Section 1. Officers

The Officers of this Local shall consist of a President, Vice President, Secretary, and Treasurer. All officers shall hold office for two (2) years and until the election and installation of their successors OR unless removed from office as provided in these Constitution and Bylaws. The terms of President and Vice President shall commence in even numbered years. The terms of Secretary and Treasurer or Secretary/Treasurer shall commence in odd numbered years.

Section 2. Secretary Treasurer

The offices of Secretary and Treasurer may be held by the same individual. If the position of Secretary\Treasurer is to be held in two persons, then the Treasurer shall have no authority as an Officer of the Local, except in fiscal matters. The Secretary shall retain all rights as the officer of this position as if it had not been split.

Section 3. Executive Board

The Executive Board shall consist of the President, Vice President, Secretary, Treasurer, 4 general members one (1) retired member elected by the general membership. Elections for two general member positions shall coincide with the General Elections for President and Vice President. The remaining other two general member positions and the retired position shall coincide with the election of the Secretary\Treasurer elections. Each position will be held for an appointment of two (2) years.

Voting members of the Executive Board shall consist of the President, Vice President, Secretary/Treasurer and 4 general members for a total of 7 voting members. The retired member and the Treasurer if held separately from the Secretary will be advisory positions only.

Section 4. Committees

Health and Safety Committee-

The Health and Safety committee shall consist of 5 members. Any member in good standing with this Local is eligible for nomination. Elections for three (3) positions shall coincide with the General Elections for President and Vice President. The remaining two (2) positions shall coincide with the election of the Secretary/Treasurer elections. The appointment shall be for a term of two (2) years. The membership shall also retain the right to remove any member from this committee at any time through voting by secret ballot with 2/3 majority.

Members of the Health and Safety Committee shall be the Locals designees for the following District and County Safety Committees, District Safety, County and/or District Benefits, District Equipment Standards.

Negotiations Committee-

The Negotiations committee will consist of five (5) members plus inclusion of either the President or Vice President and Secretary. The Secretary shall be tasked with the recording of all negotiation proceedings. The term of this committee will be dependent on the length of the current contract. Elections for this committee will be held on the General Elections following the implementation of a signed contract unless the contract is for one year in which case the current committee will remain for an additional contract. If the Local President deems it necessary to elect a committee prior to the General Election, he\she can call for a special election for this committee. This committee is to be convened as early as feasible to allow elected members to meet and confer on upcoming negotiations. Voting will be held as described in Section 8 of this article. The membership shall also retain the right to remove any member from this committee at any time through voting by secret ballot with two thirds (2/3) majority.

Grievance Committee-

The Local President as needed shall appoint this grievance committee with representation by at least four (4) Executive Board members and the grievant.

The Grievance Committee shall determine if there is a grievance. If they determine that there is not a valid grievance the issue shall be dropped unless the grievant decides to appeal to the General Membership at which time the Local President immediately as per these Bylaws shall call a special meeting.

Elections committee-

The president shall appoint an elections committee which shall be responsible for distributing and tabulating the ballots. Each candidate for office shall be entitled to appoint one observer who shall be permitted to witness the manner of distribution and casting of ballots and attend the meeting of the elections committee at which the votes are tabulated.

Ballots preserved- The ballots and other records of an election shall be preserved by the Secretary until the following election for the same position.

All committees shall meet as soon as possible after elections and elect a Chairman, reporting the results of said election to the President within fifteen (15) days.

All committee chairmen will provide a report to the Executive Board monthly and to the General Membership quarterly.

The following committees shall be appointed by the President to serve until replaced by the President or resignation from the appointee, Budget and Audit, Elections, Uniform, Fund Raising, Public Relations, Kitchen Fund, Charity and Web Site. The number of members appointed to each shall be determined by the Local President.

Section 5. Eligibility for office

Any member in good standing shall be eligible to be a candidate for office in this local.

Section 6. Rights of candidates

Every candidate for office shall have the right to request distribution of campaign literature, by mail or otherwise, to all members in good standing at the candidates' own personal expense. "A candidate for office" includes a candidate for any elected committee. There shall be no discrimination in favor of any candidate with regard to the use of membership lists.

Section 7. Use of funds prohibited in elections

No funds received by this local through dues, assessments or otherwise, shall be contributed or applied to the candidacy of any person in the election of officers.

This section does not prevent the expenditure from local funds for notices, factual statements of issues and other necessary expenses to conduct elections so long as they do not involve promotion of any candidate.

Section 8. Method of nomination and election

All elections shall follow requirements of Federal and State Laws.

All members in good standing shall be given at least fifteen (15) days advance notice, in writing via electronic mail or working place posting, of the date, time, and place at which the nominations shall be made, and the date, time, and place at which the elections shall be held. Any member in good standing may nominate eligible members for office. Elections shall be by secret ballot.

Write in voting shall not be permitted nor shall the use of any type of proxy voting. The candidate receiving the majority of the ballots cast shall be declared elected. If no candidate receives the majority of the ballots cast, there shall be a runoff election between the two candidates who received the most votes. In cases of a tie in election results both candidates shall draw from a standard deck of cards the winner shall be declared by the candidate choosing the higher card.

Section 9. Vacancies in office

When an office becomes vacant by reason of death, resignation, or removal of the incumbent, the Executive Board shall elect a successor by majority vote, no later than thirty (30) days from the date the office is vacated.

Section 10 Election by Acclamation

If the slate of candidates nominated for any election is unopposed, then they will be declared winners by acclamation.

Article VI

Duties of Officers

Section 1. Duty of the President

It shall be the duty of the President to preside at all meetings of this Local and at all meetings of the Executive Board. He/she shall be the executive head of this Local. He/she shall be a member ex-officio of all committees. He/she shall appoint such committees as provided for in this Constitution and Bylaws and such special committees as may be authorized by this Local. He/she shall enforce strict observance of the Constitution and Bylaws of the International as this document relates to this local, and the Constitution and Bylaws of this local. He/she shall have general supervision of the activities of the other officers and chairmen of the committees.

In the event that the President cannot preside at a meeting then the Vice President shall preside at that meeting. If the President and Vice President cannot preside at a meeting, then any member of the Executive Board may be appointed to preside at that meeting by the President or Vice President.

The President shall discharge on behalf of this local such duties as may be imposed on him/her by applicable law including the execution and filing of any reports to Federal or State authorities. He/She shall cause to be maintained by this Local such records as the law requires to be kept in support of reports filed by it.

Section 2. Duty of the Vice President

The Vice President shall assist the President in such a manner as the President may determine. In the absence of the President he/she shall preside at meetings of this local. If the office of President becomes vacant, the Vice President shall become acting President until the office of President is filled as stated in Article V; section 9.

Section 3. Duty of the Secretary

The Secretary shall have custody of all documents, records, books and papers belonging to the local, except as provided by in this Constitution and Bylaws. He/she shall keep an accurate record of all meetings of this Local, including meetings of the Executive Board and special meetings. He/she shall attest all official documents with his/her signature and the seal of the local. He/she shall conduct the correspondence of this Local promptly. He/she shall maintain the list of members in good standing, which shall be kept accurately and on a current basis.

The Secretary shall discharge, on behalf of the Local, such duties as may be imposed on him/her by applicable law including the execution and filing of any reports to Federal or State authorities, and he/she shall cause to be maintained by the local such records as the law requires to be kept in support of reports filed by it.

Section 4. Duty of the Treasurer

The Treasurer shall receive all money due the local, from whatsoever source, and shall disburse the same by check in conformance with the direction of the membership or of the Executive Board. He/she shall maintain and keep current a record of members with their dues payments, assessments, and all financial transactions promptly and accurately entered. He/she shall be prepared to exhibit receipts and vouchers upon the audit of the books. He/she shall forward the annual audit of the local to the General Secretary - Treasurer, over the seal of this Local.

Section 5. Duty of the Members of the Executive Board

Each member of the Executive Board shall have one vote. If any two positions are held by the same person, that person shall have only one vote. It shall be the duty of the Executive Board to exercise general supervision and control of the invested funds and property of the local. It shall have the authority to act in the name of the local during intervals between meetings, such acts being subject to confirmation by the membership at the next regular meeting of the local.

However, all expenditures exceeding \$2500.00 must be approved by the membership prior to Executive Board action. It shall provide for an annual audit of the Treasurers books. It shall meet at the call of the President or on call signed by a majority of its members. A majority shall constitute a quorum.

Section 6. Duty of Officers and Employees

All officers and employees of this Local who handle funds or property of the local shall be bonded in such amounts as may be required by the General Secretary - Treasurer, in compliance with applicable law. The expense of the first \$2500 of the cost of the bond shall be borne by the International. If additional bond is necessary, the local shall pay the additional premium. Bonding shall be commensurate with held funds of the local but in no case shall be less than the amount held in investment accounts.

Section 7. Officers and Committee

Officers and committee members shall be entitled to un-receipted expenses in the following amounts: President, \$100.00 per month, Vice President, \$75.00 per month, Secretary, \$100.00 per month, members of the Negotiations Committee, \$20.00 per month. All un-receipted expenses will be paid annually, on January 1st.

Article VII

Delegates and Alternates to International Conventions

Section 1. If, in accordance with Article 4, Section 2 of the International Constitution and By-Laws, this Local is entitled to delegates in addition to the President, they shall be elected by secret ballot of the members in good standing.

Section 2. Delegates to conventions shall be elected by secret ballot of the members in good standing. The President may attend through acclamation. The credentials of the delegates and alternates must certify to this method of election.

Article VIII

Dues and Assessments

Section 1. Dues shall be 2.2 % of the base rate of a top step Firefighter/EMT.

Section 2. Assessments may be made only in the following manner: Each member in good standing shall be notified in writing or by electronic means at least thirty days in advance of the date on which the vote for assessment is to occur. The proposed assessment shall become effective upon a majority vote of the members in good standing, by secret ballot, at a regular or special meeting.

Section 3. Increases of fees, dues, or assessments shall require notice of such proposed increase to be given to the members in good standing at least seven (7) days in advance of the date on which the vote is to occur. The proposed increase shall become effective upon a majority vote of the members in good standing, by secret ballot, at a regular or special meeting.

Section 4. Reinstatement fees shall be \$50.00, plus all back dues and assessments.

Section 5. A one-time assessment of membership into the International shall be made at time of acceptance into this local. This assessment shall be in accordance with the Internationals membership rules.

Article IX

Misconduct, Trials, and Appeals

Section 1. Any member charged with misconduct as defined in Article XV of the International Constitution and Bylaws shall be served with written specific charges as required in Article XVI of the Association Constitution and be given a reasonable time to prepare his defense and afforded a hearing as provided in Article XVII of the Association Constitution.

Section 2. Appeals may be made in accordance with Article XVIII of the International Constitution and Bylaws, such appeal must be filed with the President of the Association within 30 days of the action to be appealed.

Article X

Audit

Section 1. The books and accounts of this local shall be audited annually, and the last such report of audit shall be forwarded to the General Secretary/Treasurer of the International over the seal of this Local.

Article XI

Amendments

Section 1. This Constitution and Bylaws made under its provisions, may be amended by two thirds vote (2/3) (except for changes in dues, assessments, and fees which shall require a majority vote as provided in Article 8 section 2) at a regular meeting, provided that each member in good standing is notified in writing of the proposed amendment at least fifteen days in advance of the meeting at which the vote will be taken.

Section 2. A proposed amendment to this Constitution, or any Bylaws made under its provisions, shall be submitted for approval to the General President prior to its printing, or issuance, after it has first been adopted by this Local