

# Kinston Professional Fire Fighters Association Local 3015

## Constitution & By- Laws

### Article 1

#### Name

**Section 1.** The number and name of this organization shall be Local Number: L-3015, Name: Kinston Professional Fire Fighters Association , International Association of Fire Fighters.

**Section 2.** References in this Constitution and By-Laws to “Local” or “Local Union” shall refer to the Local as set forth in Section 1 above. References to “Association” or “International” shall refer to the International Association of Fire Fighters.

**Section 3.** This Local Union, it’s officers, representatives, and members shall recognize, observe, and be bound by the provisions of the Constitution and By-Laws of the International Association and the interpretations rendered by the International President, the resolutions, decisions, and directives of the Executive Board of officers of the Association , and the resolutions adopted and policies established by the delegates at conventions. Article 13 of the Constitution and By-Laws of the International is recognized as providing the basic rules governing this Local.

### Article 2

#### Jurisdiction

“Jurisdiction shall be as follows; All full-time, paid employees engaged in fire fighting or related services.”

### Article 3

#### Membership

**Section 1.** Active- any person of good moral character who at the time of making application is engaged in service within the jurisdiction of this Local, as described in Article 2, will be eligible for active membership.

The members of Local 3015 in good standing will at a business meeting be entitled to vote on candidate(s) up for membership. Only members in good standing at the meeting will vote. Write-in voting shall not be permitted. When the candidate is either voted in or out, the Local President will notify the candidate whether he or she was voted in or if their application was rejected by the membership. The candidate’s initiation fee and first month’s dues shall be returned back to the candidate if he or she was rejected. The candidate will be eligible for active membership a year from the date they were rejected.

**Section 2.** Honorary- For meritorious service to this Local or for distinguished public service, people may be elected an honorary member by majority vote. Honorary members shall not be pay initiation fees, dues, or other charges and shall have no voice or vote in the Local. Such membership may be revoked for just cause.

**Section 3.** Maintenance of Good Standing- Membership in good standing includes any person who has fulfilled the requirements for membership in this Local and who have

not voluntarily withdrawn, been ineligible for continued membership, or been suspended or expelled as provided in the Constitution and By-Laws of the International Association of Fire Fighters or the Constitution and By-Laws of this Local.

**Section 4.** Separation- When any member in good standing becomes separated from the fire service, the Local may allow said member to retain his active membership or, in lieu thereof, upon request of said member shall issue him a withdrawal card; provided, however, that a member who is duly elected as an officer of the International Association of Fire Fighters, or elected or appointed as a representative of or to an affiliated labor organization, shall retain his active membership in this local.

**Section 5.** Delinquent Members- Members who fail to pay their monthly dues or assessments by the fifteenth (15<sup>th</sup>) day following the month such dues are payable, shall be notified by the Local officer whose duty it is, 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 4**

### **Meetings**

**Section 1.** Regular meetings of this Local shall be held on the second (2<sup>nd</sup>) Monday or second Tuesday of each month at 7:00 pm. Any other meeting held will be called a special meeting.

**Section 2.** Special meetings may be called by the vote of a majority of the Executive Board. All members in good standing shall

be notified in writing of the special meeting at least seven (7) days prior to the same. The notice shall be considered at such a meeting, and no other business than that stated in the written notice shall be in order at such a meeting.

**Section 3.** Quorum. The quorum for any meeting of this Local, either regular or special, shall be three (3) members in good standing.

**Section 4.** Rights of members. Every member in good standing shall have the right to attend any meeting and to participate in such meetings 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 5.** Rules for meetings. The rules contained in Atwood's Rules for Meetings shall govern the meetings of this Local in all cases not in conflict with this Constitution and By-Laws, or the Constitution and By-Laws of the International, or interpretations of these documents.

## **Article 5**

### **Officers and Elections**

**Section 1.** The officers of this Local shall consist of a President, Vice President, Secretary, Treasurer, and five (5) members of the Executive Board, who shall hold office for two (2) years, and until the election and installation of their successors unless removed from office as provided in the Constitution and By-Laws of the International or this Constitution and By-

Laws. The offices of Secretary and Treasurer may be held by the same individual.

**Section 2.** Eligibility for Office. Any member in good standing shall be eligible to be a candidate for office in this Local.

**Section 3.** 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 membership on the Executive Board. There shall be no discrimination in favor or against any candidate with regard to the use of membership lists.

**Section 4.** Use of Funds Prohibited in Elections. No funds received by this Local through initiation fees, dues, assessments or otherwise, shall be contributed or applied to promote 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 the promotion of any candidate.

**Section 5.** Method of Nomination and Election. All members in good standing shall be given in at least fifteen (15) days advanced notice, in writing of the date, time, and place at which 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. Election shall be by secret ballot. Write-in voting shall not be permitted. If there is only one candidate for a given office, such candidate shall be

declared elected. There shall be no voting by proxy in the election of Local officers. The candidate receiving a majority of the ballots cast shall be declared elected. If there is no candidate receiving a majority of the ballots cast, there shall be a run-off election between the two candidates who received the most votes.

**Section 6.** Elections Committee. The President shall appoint an Elections Committee which shall be responsible for distribution 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. The observer shall also be able to attend the meeting of the Elections Committee at which the votes are tabulated.

**Section 7.** Ballots Preserved. The ballots and all records of an election shall be preserved by the Secretary for one year following such an election.

**Section 8.** Vacancies in Office. When an office becomes vacant by reason of the 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.

## **Article 6**

### **Duties of Officers**

**Section 1.** It shall be the duty of the President to preside at all meetings of the Local and at meetings of the Executive Board. He shall be the executive head of the Local. He shall be a member ex-officio of all committees. He shall appoint such

committees as may be provided for in this Constitution and By-Laws and such committees as may be authorized by the Local. Together with the Treasurer, he shall sign all orders and checks lawfully and properly drawn. He shall enforce strict observance of the Constitution and By-Laws of the International as this document relates to the Local, and the Constitution and By-Laws of the Local. He shall have general supervision of the activities of the other officers and chairmen of committees.

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

The President, by virtue of his elections, shall be a delegate of this Local to the convention of the International.

**Section 2.** The Vice-President shall assist the President in such a manner as the President may determine. In the absence of the President, he shall preside at meetings of the Local and the Executive Board. If the office of President becomes vacant, the Vice-President shall be acting President until the office of President is filled by election by the Executive Board.

**Section 3.** The Secretary shall have custody of all documents, records, books, and papers belonging to the Local, except as may be otherwise provided by this Constitution and By-Laws. He shall keep an accurate record

of the meetings of the Local and of the Executive Board, of which he shall be the Secretary. He shall attest all official documents with his signature and the seal of the Local. He shall conduct the correspondence of the Local promptly. He shall maintain the official 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 upon him by applicable law including the execution and filing of any reports to Federal and State authorities. He 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.** The Treasurer shall receive all money due the Local, from whatsoever source, and shall disburse the same only voucher signed by the President in conformity with a vote of the Local. Such disbursement shall be by check which shall also be signed by the President. He shall maintain and keep current a record of members with their dues payments, assessments, and all financial transactions promptly and accurately entered. He shall be prepared to exhibit receipts and vouchers upon the audit of his books. He shall forward the annual audit of the Local to the International Secretary-Treasurer, over the seal of the Local.

**Section 5.** The Executive Board shall consist of the President, Vice-President, Secretary, and Treasurer, and members who are elected at the annual meeting. 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. It shall provide for an annual audit of the Treasurer's books. It shall meet at the call of the President or on a call signed by a majority of its members. A majority shall constitute a quorum.

**Section 6.** All officers and employees of the Local who handle funds or property of the Local shall be bonded in such amounts as may be required by the Board of Trustees and the International Secretary-Treasurer, in compliance with applicable laws. The expense of the first \$2,500 of bond shall be borne by the International. If additional bonding is necessary, the Local shall pay the additional premium.

## **Article 7**

### **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 a secret ballot of the members in good standing.

**Section 2.** Alternatives to conventions shall be elected by a secret ballot of the members in good standing. The credentials of

delegates and alternates must certify to this method of election.

## **Article 8**

### **Initiation Fees, Dues, and Assessments**

**Section 1.** Initiation fees shall be paid in the amount of \$45.00.

**Section 2.** Dues shall be \$20.00 each month.

**Section 3.** Assessments may be made only in the following manner. Each member in good standing shall be notified in writing at least thirty (30) days in advance of the date on which the vote for an assessment is to occur. The proposed assessment shall become effective upon majority vote of the members in good standing, by secret ballot, at a regular or special meeting.

**Section 4.** Increases in rates of initiation fees, reinstatement fees, dues, or assessments shall require notice of such proposed increase to be given to the members in good standing at least thirty (30) days in advance of the date on which the vote for such increase 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 5.** Reinstatement fees shall be \$45.00, plus all back dues and assessments.

## **Article 9**

### **Misconduct, Trials, and Appeals**

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

**Section 2.** Appeals may be made in accordance with Article XVIII of the International Constitution and By-Laws. Such appeals must be filed with the President of the International Association within thirty (30) days of the action to be appealed.

by a two-thirds vote, (except for changes in dues, assessments, initiation, and reinstatement fees, which shall require a majority vote, as provided in Article 8) at a regular meeting, provided that each member in good standing is notified in writing of the proposed amendment at least fifteen (15) days in advance of the meeting at which the vote will be taken.

**Section 2.** A proposed amendment to this Constitution, or any By-Laws made under it's provisions, shall be submitted for approval to the International President prior to it's printing, or issuance, after it has first been adopted by the membership of the Local.

## **Article 10**

### **Audit**

The book and accounts of this Local shall be audited annually. The last such report of audit shall be forwarded to the International Secretary-Treasurer over the seal of the Local.

## **Article 11**

### **Amendments**

**Section 1.** This Constitution and By-Laws made under it's provisions, may be amended