

Union Township Professional Firefighters

Local 3412

Clermont County, Ohio

Constitution

and

By-Laws

Adopted by the Membership
December 2004

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**Union Township Professional Firefighters
Local 3412 I.A.F.F.**

Constitution and By-Laws

Article I

Name

Section 1 - The number and name of this organization shall be know as Local #3412, Union Township Professional Firefighters of the International Association Firefighters.

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, and references to “Association or International” 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 By-Laws of the International Association and the interpretations rendered by the International General President, the resolutions, decisions and directives of the Executive Board or officers of the Association when made conformity with the authority granted by the Constitution and By-Laws 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 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 fire fighting or related emergency medical or rescue service activities, employed by Union Township Fire Department, Clermont County, Ohio.

Article III

Membership

- Section 1** - Active – Any person of good moral character who at the time of making application to this Local is engaged in service as given in Article II and is within the jurisdiction of this Local, will be eligible for active membership. Anyone eligible for membership in the Local shall not be refused membership or, upon acceptance, be discriminated against because of race, color, creed, national origin, gender, sexual orientation, or by reason of disability
- Section 2** - Honorary – For meritorious service to this Local or for distinguished public service, persons may be elected honorary members by majority vote. Honorary members shall not pay initiation fees, dues, or other charges and shall have no voice or voting privilege within the Local. Such membership may be revoked for just cause, by majority vote.
- Section 3** - Maintenance of Good Standing – “Memberships in good standing” include any person who fulfilled the requirements for membership in this Local and who has not voluntarily withdrawn, become ineligible for continued membership, or has been suspended or expelled as provided by the Constitution and By-Laws of the International or the Constitution and By-Laws of this Local.
- Section 4** - 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 Local President or Vice-President, 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 a voice or to vote in the Local or in the affairs of the International.
- Section 5** - Separation / Withdrawal Cards – When any member in good standing is separated from the fire service, the local union may allow said member to retain active membership or in lieu thereof, upon request of said member, shall issue a withdrawal card. This local union may issue withdrawal cards only to those members who leave the fire service or EMS in good standing or who are precluded by law or local ordinance or contractually

from maintaining union membership by virtue of their fire department position. A former member holding a valid withdrawal card will not be charged a reinstatement fee upon reentry into the organization. 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 affiliate labor organization, shall retain his/her active membership in this Local.

Section 6 - Active / Retired – Members who have retired from this Union or have otherwise withdrawn as members in good standing, may be allowed to return to this Local within twenty-four (24) months as active retired members.

Article IV

Meetings

Section 1 - Scheduled Meetings – Regular scheduled meetings of Local 3412 shall be held on the second Saturday of each month beginning at 8 am.

Section 2 - Special Meetings – Special meetings may be called by the President or Vice-President of the Local. All members in good standing shall be notified in writing of such meeting at least seven days prior to the same. The notice shall state the business to be considered at such meeting and no other business that stated shall be in order at such meeting.

Section 3 - Executive Session Meeting – The President or Vice-President shall have the authority to call for an Executive Session meeting. The quorum for which shall include the officers of this Local. The membership shall be notified of and the results thereof at the next regular meeting.

Section 4 - Quorum – The quorum for any meeting of this Local, either regular or special, shall be four members in good standing with no less than two officers, one of which must be the President or the Vice-President to preside over the meeting.

Section 5 - Rights of Members – Every member in good standing shall have the right to attend any meeting and to participate in such meeting in accordance with the recognized rules as set 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. Members shall also have the right to meet and assemble freely with other members and express their views, arguments or opinions provided, however, that in so doing they are not guilty of misconduct as set forth in this Constitution and By-Laws or as may be prescribed in the International Constitution and By-Laws.

Section 6 - Rules for Meetings – The rules as contained in “Robert’s Rules of Order” shall govern the meetings of this Local in all cases not in conflict with this Constitution and By-Laws nor of the Constitution and By-Laws of the International.

Article V

Officers and Elections

Section 1 - The officers of this Local shall consist of a President, Vice President, Secretary, and a Treasurer. Each shall hold office two 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 the Constitution and By-Laws of this Local. Nominations are to be taken in November and elections will be held during the December meeting. The President and Secretary will be elected in each even year, the Vice-President and the Treasurer will be elected in the odd years. Terms shall begin on January 1 and shall end on December 31 of the respective years as noted above.

Section 2 - Eligibility for Office – Any member in good standing, that has been a member in this Local no less than one year, shall be eligible to be a candidate for office of 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.

Section 4 - Use of funds for Elections – No funds received by this Local through initiation fees, dues or assessments or otherwise, shall be contributed or applied to promote the candidate of any person in election of officers. This section does not apply to nor prevent the expenditure of 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 5 - Method of Nomination and Election – All members in good standing shall be given at least fifteen days advance notice of the date, time and place of nominations and 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 by proxy voting by off duty persons, the on duty members shall be allowed to vote via a ballot box which will be passed at their respective stations the morning of the election prior to the meeting and shall be delivered to the election location. The candidate receiving a majority of the ballots cast shall be declared elected. If the final ballot of any officer election results in a tie between candidates, the winning candidate for office shall be selected by the drawing of lots in the presence of both candidates.

Section 6 - Ballot Preservation – The ballots and all other records of an election shall be preserved by the Secretary for one year following each election.

Section 7 - Vacancies in Office – When an office becomes vacant by reason of death, resignation, incapacity or other cause shall be filled for the un-expired term. The successor shall be elected by majority vote no later than thirty days from the time the office is vacated.

Section 8 - 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.

Article VI

Duties of Officers

Section 1 - President – It shall be the duty of the President to preside at all meetings of the Local. He shall be the executive head of the Local. He shall be 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 order 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 this Local. He shall have general supervision of the officers and chairman 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 and State authorities, and shall cause to be maintained by the Local such records as the law requires to be kept in support of the reports filed by it. The President by virtue of his election shall be a delegate of this Local to the convention the International and State Associations.

Section 2 - 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 shall preside at meetings of the Local. If the office of the President becomes vacant, the Vice-President shall be Acting President until the office of President is filled by election.

Section 3 - Secretary – The Secretary shall have custody of all documents, records, books, and papers belonging to the Local, except as may otherwise be provided by this Constitution and By-Laws. He shall keep an accurate record of the meetings of the Local. 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 accurate and on a current basis. The Secretary shall discharge on behalf of the Local such duties as may be imposed upon him by applicable laws including the filing of any reports to Federal and State authorities, and shall cause to be maintained by the Local such reports as the law requires to be kept in support of reports filed by it.

Section 4 - Treasurer – The Treasurer shall receive all money due the Local, from whatsoever source, the Treasurer is authorized to make monthly disbursements to the International and State affiliations without the

signature of the President. Any such disbursement not applicable to or addressed in Article X of this Constitution and By-Laws, shall be by check which shall also be signed by the President, in conformity with a vote of the Local. He shall maintain and keep a current record of members with their dues payments, assessments and all financial transactions promptly and accurately entered. He shall forward the completed annual audit of the Local to the Local secretary for submission to the International.

Section 5 - The Executive Board – The Executive Board shall consist of the President, Vice-President, Secretary and Treasurer. 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 intervals between meetings, such acts being subject to confirmation by the members at the next regular meeting. It shall provide for an annual audit of the Treasurer’s books. It shall meet at the call of the President or on call signed by a majority of it’s members. A majority shall constitute a quorum. The Executive Board shall be the negotiating team for the Local.

Section 6 - Bonding – 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 Executive Board or by the International General Secretary / Treasurer, in compliance with all applicable laws. The expense of the first \$5,000.00 of bond shall be borne by the International. The Local shall have sufficient bond to cover at least ten (10%) percent of it’s current liquid assets. If any additional bond is necessary, the Local shall pay the additional premium.

Article VII

Delegates and Alternates to International Conventions

Section 1 - If, in accordance with Article 4, Section 2, of 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 - Alternates to conventions shall be taken from the Executive board. Alternates selection shall be by successive order of Vice-President, Secretary, Treasurer. Any additional alternates to conventions shall be elected by secret ballot of the members in good standing.

Article VIII

Initiation Fees, Dues and Assessments

Section 1 - Initiation Fees – Initiation fees shall be paid in the amount of \$100.00.

Section 2 - Dues – Dues shall be paid bi-weekly at a rate no less than an amount sufficient to permit payment of the per capita tax to the International and also cover the necessary expenses of conducting the business of the Local.

Section 3 - Assessments – Assessments may be made only in the following manner: Each member in good standing shall be notified in writing at least thirty days in advance of the date on which the vote for an assessment 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 - Increase in Rates - Increase in rates of initiation fees, reinstatement fees, dues or assessments shall require notice of such increase to be given at least thirty days in advance of the date of which the 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 – Reinstatement fees shall be \$25.00 plus all back dues and any assessments.

Article IX

Misconduct, Trials and Appeals

Section 1 - Misconduct – No member of this Local, guilty of misconduct, as defined in Article XV, of the International Constitution and By-Laws hereof shall be subject to reprimand, fine, suspension, expulsion or other discipline unless such member has been served with written specific charges as required by Article XVI, of the International Constitution and By-Laws

and given a reasonable time to prepare his defense and afforded a hearing as provided by Article XVII, of the International Constitution and By-laws.

Section 2 - Appeals – Appeals may be made in accordance with Article XVIII, of the International Constitution and By-laws. Such appeal must be filed with the International General President of this Association within thirty (30) days of the action to be appealed.

Article X

Financial

Section 1 - Audit – The books and accounts of this Local shall be audited annually, and the completed report of such audit shall be forwarded to the International General Secretary / Treasurer over the seal of the Local, within on hundred and eighty (180) days of the close of the fiscal year, and shall include an accurate accounting of all employees within the Local Union’s Fire Department.

Section 2 - Expenses – The officers of this Local shall have an allowable expense amount of \$100.00 monthly for reimbursement of purchases. The allowable expense items shall include office supplies, printing costs, long distance calling cards, P.O. Box cost, etc... any or all of which are to be used strictly for purposes of conducting this Locals daily activities. The allowable expense items shall also include flowers, gifts or cards to show support from this Local for Union friends and families. Any monthly expense reimbursement made shall be disclosed during normal monthly meetings.

Section 3 - General Fund – The Local 3412 general fund, consisting of a checking and savings account, shall be maintained and administered by the Treasurer, from which all general expenses shall be paid. The Treasurer will report on the status of the checking and savings accounts at each business meeting. All revenue received from the sources specified in article VIII, shall be placed in the general fund. With approval from the Local, the Treasurer shall invest and reinvest all funds for the Local, in a responsible

fashion, employing a bank as custodian of the funds. Annual audits will be performed as directed in Section I, of this Article.

Section 4 - Benefit Fund – A designee of the President, known as the Benefit Fund Chairperson, shall maintain and administer the Union Township Professional Firefighters Local 3412 benefit Fund. The purpose of the Benefit fund shall be; to assist members of the Local, Fellow Union brothers and sisters, as well as the community in their time of need. Committee members of the Benefit Fund shall be members of Local 3412. the Benefit Fund Chairperson shall hold no other elected office or title. The Benefit Chairperson shall deposit into the Benefit Fund Account all funds allocated by the Local for said fund. Funds can be obtained by way of fund raising activities held by the Local, donations by individuals, institutions, chapters, businesses, etc... The Benefit fund shall be identified as an account separate from that of the Local. The Benefit Chairperson will report the Fund status at each Local Business meeting. The Benefit Fund shall be subject annual audit as outlined in Section 1, of this Article. The Benefit Fund Chairperson shall submit to the President of the Local a request for a special meeting as outlined in Section 2, of Article IV, of this document.

Section 5 - Scholarships – The purpose of the Local 3412 Scholarship shall be to provide financial assistance to local high school students of Union Township who are pursuing an undergraduate degree in firefighting, nursing, teaching, or any other public service related field. The scholarship committee shall consist of three members of Local 3412, including a Scholarship Chairperson as designated by the Local President. The Scholarship Chairperson shall hold no other elected office or title. The Scholarship chairperson shall present to the Local a \$2,000.00 budget request at the December meeting, to be taken out of the Benefit Fund. Any remaining funds after distribution of the Scholarship shall be returned to the Benefit Fund. The Scholarship committee shall review student applications and make recommendations for approval by the members of Local 3412 at the May business meeting. If a scholarship committee member has a conflict of interest, he/she must abstain from making any

recommendations. The Scholarship Chairperson or his/her designee shall be the liaison responsible for overseeing the distribution of information, publicity, instruction, and scholarship forms to the school district. The goal of the scholarship is to recognize one male and one female student of Union Township with a \$1,000.00 scholarship. The student candidates must be well qualified to pursue his or her career choice, but not necessarily the “perfect” student. The committee may recommend any gender or number of student candidates, but no more than two students per year for final consideration. No one scholarship shall be more than \$1,000.00. The Scholarship Chairperson shall submit to the President of Local 3412 a request for a special meeting as outlined in section 2, of Article IV, of this document.

Section 6 - PAC Fund – A designee of the Local President, known as the PAC Fund Chairperson, shall maintain and administer the Union Township Professional Firefighters Local 3412 Political Action Committee, herein known as the PAC Fund, a non-profit, unincorporated political organization. The purpose of the PAC Fund shall be to promote the interests of Local 3412 members. Any candidate for political office or any political entity wishing the endorsement of the Union Township Professional Firefighters Local 3412 will be required to request that endorsement in writing and shall be invited to appear before the PAC Fund Committee. Notice of those meetings shall be posted and any interested Local 3412 member shall be entitled to attend. The PAC Fund Chairperson at any time can submit a request to the Local President to call for a Special meeting as outlined in Section 2, of Article IV of this document. The PAC Fund Committee shall be comprised of four Local 3412 members, including the PAC Fund Chairperson. The committee will make recommendations for endorsement and shall report their findings and decisions back to the members of Local 3412. The committee will evaluate each candidate based on a set of criteria to include the candidates’ stance and regard for firefighter issues. Endorsements will be made without regard to race, color, religion, sexual orientation and/or gender to those candidates who are either seeking election or re-election to political

office and believed to be deserving of our support. The PAC Fund will raise and use funds to make campaign contributions and/or political endorsements as described above. The funds will be used to support or oppose the passage of any measure bond issue or proposition submitted to any political governing body, or submitted in election to the people, that bears a direct impact on the members of Local 3412. In addition, funds will also be used to support and make contributions for other worthwhile political purposes and activities as directed by the Local 3412 membership. Participation by Local 3412 members is strictly on a volunteer basis. The making of these voluntary contributions shall not determine conditions of membership in the union or the employment by the employer. Local 3412 members who choose to participate in the PAC Fund shall contribute financially to the PAC, through a payroll deduction of a monthly amount to be determined by the member. If a member chooses to not participate in the PAC Fund deduction, he/she is not entitled to a voice or to vote in any PAC Fund function, until which time he/she resumes payroll deduction as stated previously. The PAC Fund Committee shall be comprised of four Local 3412 members, including the PAC Fund Chairperson. The PAC Fund shall be identified as an account separate from that of the Local. Twice a year, the Local Treasurer shall transfer funds from the General Fund to the PAC Fund. The PAC Fund Chairperson will report on the fund status at each business meeting. The PAC Fund shall be subject to audit as outlined in Section 1, of this Article.

Article XI

Amendments

Section 1 - Amendments – This Constitution and By-Laws made under it's provisions, may be amended by two-thirds majority vote (except for changes in dues, assessments, initiation fees and reinstatement fees as provided in Article VIII) at a regular meeting, provided that each member in good standing is notified in writing at least fifteen days in advance of the meeting at which the vote is to occur.

Section 2 - Submittal of Proposed Amendments – A proposed amendment to this Constitution and By-Laws under it's provisions, shall be submitted for approval to the International General President prior to it's printing or issuance, after it has first been adopted by the membership.

Section 3 - Local Resolutions - Resolutions may be made to govern effective operations of the Local Resolutions shall be proposed and adopted by majority vote at regular or special meetings. Resolutions shall not be in conflict with the Constitution and By-Laws of the International or the Constitution and By-laws of this Local.

Article XII

Local Logo

Section 1 - Local Name Usage – Any reprinting of the Union name or logo of Local 3412 for display on clothing, stationary, business cards etc. shall be forbidden unless approved by two/thirds majority vote of the members at a regular or special meeting. Any designs or artwork must be submitted at a regular meeting to be voted upon.