

BY - LAWS
ARTICLE I
GOVERNMENT

SECTION I

Duties and Responsibilities of Elected Officers

- (A) President - Shall preside at all meetings of the Board and General Membership; shall preserve order in the meeting place; and as Chief Executive Officer of the Lodge, shall supervise all affairs and activities of the Lodge; sign all checks, orders, resolutions, deeds, mortgages, bonds, contracts and other legal documents; shall be Chief Steward of the Lodge.
- (B) First Vice President - In the absence of the President, assume the authority and perform all duties required of the President. The First Vice President shall further perform any duties directed by the President.
- (C) Second Vice President - In the absence of the President and First Vice President assume the authority and perform all duties required of the President. The Second Vice President shall further perform any duties directed by the President.
- (D) Secretary - Shall keep a full, true and correct record of the proceedings of all meetings of the Lodge and call the roll of officers. The Secretary shall be the keeper of the corporate seal and affix the seal on all legal documents. The Secretary shall countersign all deeds, orders, resolutions, mortgages, bonds, and other legal documents. In addition the Secretary will: preserve all papers and records of the Lodge when required; deliver all papers and records to the Lodge, the successor in office or Lodge Committees.
- (E) Treasurer - Shall receive all funds due the Lodge; keep an accurate account between the Lodge, its members and creditors. At the annual September meeting and at other times required by the President, Board of Directors or Members of the Lodge make a financial condition report at meetings. The Treasurer shall maintain all books and records and be ready to present them for inspection to any member in good standing upon written request; keep accurate account of funds received and disbursed; must obtain a counter signature on all checks that exceed a five thousand (\$5,000.00) dollar amount; the use of online banking or electronic fund transfers to payees will

not exceed five thousand (\$5,000.00) dollars. Any owed moneys that exceed five thousand (\$5,000.00) dollars must be written by check; and turn over all books to the independent auditor for annual audit and to the office successor.

- (F) State Trustee - Shall attend all meetings of the State Lodge Board of Directors and report the business of the State Lodge Meetings to the President and Lodge Members.

SECTION II

Board of Directors

- (A) The President, First and Second Vice Presidents, Secretary, Treasurer, State Trustee, the immediate Past President, and the Command Staff Liaison will constitute the body known as the Board of Directors. The Command Staff Liaison shall serve as an ex-officio member of the Board of Directors. As such the Command Staff Liaison shall possess no voting authority but shall have the right to participate in all discussions.

ARTICLE II

ELECTIONS AND TERM OF OFFICE

Section I

Term of Office

- (A) All elected officers including the Command Staff Liaison shall serve a term of two years plus any additional time necessary before the election of new officers, unless otherwise amended with a By-Law change.

Section II

Qualification Of Officers

- (A) Any candidate for an elected office in Lodge #30 must have been an active member in good standing in the Lodge for a period of not less than six months prior to date of election.
- (B) Any candidate for an elected office in Lodge #30 must have successfully completed probationary

status as an employee of the Maryland-National Capital Park and Planning Commission prior to date of election.

Section III

Election Of Officers

(A) Candidates for the offices of President, First and Second Vice Presidents, Secretary, Treasurer, State Trustee and Command Staff Liaison will be nominated from the floor at the general meeting held in the month of April of each even-numbered year.

(B) Any member who shall be nominated for any position of the Board must be present to either accept or decline the nomination. The only exceptions shall be when a member is:

- (1) On police or police related duty;
- (2) On approved leave status from the department;
- (3) On FOP related business.

In each case if the member is intending to seek a position the member shall notify the President of their intention to seek the nomination and advise the President of their inability to attend the meeting. The member must still be nominated and when nominated the President shall accept the nomination.

(C) Whenever feasible the First Vice President shall be a representative of the opposite county of the President. If it is not feasible the candidate receiving the majority of votes for the office of Vice President shall be the First Vice President. The second highest vote receiver shall be the Second Vice President.

(D) Election of the above-named offices may be by secret ballot held at specified locations on the day of the general meeting in May or by internet based voting (online voting). The close of balloting will be at the opening of business at said meeting. Ballots for the Command Staff Liaison shall be presented only to members of the committee. Internet based voting (online voting) shall begin two weeks prior to the May general meeting and end the day prior to the May general meeting.

- (E) A Special Committee of three general members, appointed by the incumbent President, will tally the votes cast and forward to the President their findings before the close of business in the event of voting at locations. The membership will then be notified of the results, and installation of officers will take place. In the event of internet based voting (online voting), a copy of the vote hosting website's election result page shall be provided to the members at the May general meeting.
- (F) In the event a candidate or candidates for any office is unopposed for election, said candidate may be elected by unanimous acclamation of the members at a general membership meeting. This action will be confirmed by the secretary who will cast one vote for each unopposed candidate for election.
- (G) No person may accept nomination for or hold more than one position on the Board of Directors.

Section IV

Vacancy Of Elected Officers

- (A) Should the office of President become vacant, the position will immediately be delivered to the First Vice-President. Should the First Vice-President decline to accept the office of President until the end of the term, the office of President will immediately be delivered to the Second Vice-President. If the second Vice-President declines to accept the office, the procedures outlined in (B) of this section will be followed, the First Vice-President or Second Vice-President will serve as interim President until the office is filled.
- (B) For any other elected officer, should a vacancy arise, the following procedure will be followed:
 - (1) If the term of that office is less than one half expired, a special election will be held.
 - (2) If the term of that office is more than one half expired, the Board of Directors will appoint an acting officer until such time as the regular election of officers is held.

(C) Absences of Elected Officers

- (1) If there is an absence or leave of absence by the President, and the absence is expected to be less than 3 months, the President shall appoint the First Vice or Second Vice-President to serve as acting President during the absence. For any other Elected Position, the President shall appoint an active member in good standing, to fill the position during the absence.
- (2) If an absence or leave of absence lasts more than 3 months, for any elected position, that position will be declared vacated and the procedures outlined in Article II Section IV (B) shall be followed.

**ARTICLE III
MEMBERSHIP AND DUES**

Section I

Membership Acceptance

- (A) After receipt of application for Active or Associate membership, the reading of the application will be conducted at the first general meeting with appropriate discussion for approval or disapproval, and a vote taken thereafter.
- (B) Those applicants accepted will be sworn in at the following general meeting.
- (C) The fee of annual dues for active members shall be - one point seven five (1.75%) percent of the starting salary of an entry level police officer. All dues shall be paid through payroll deduction. There shall be an initial twenty-five (25) dollar application fee. (This fee may be waived at the discretion of the Executive Board) Any increase in dues caused by increases in the starting salary may be waived by a majority of the members present at the first general meeting following the scheduled increase.
- (D) Associates members' annual dues shall be fifty (50) dollars per year for non-police employees. Park Police civilian employees shall pay seventy-eight (78) dollars annually by payroll deduction.

There shall be an initial ten (10) dollar application fee. The Board of Directors, by resolution, may create a corporate associate membership and set the dues or fees for such membership.

- (E) Any active member who retires from the M-NCPPC in compliance with the retirement plans set forth in the Collective Bargaining Agreement or who is receiving a service connected disability benefit from the M-NCPPC shall, upon retirement, have all dues paid by FOP #30 as long as the member wishes to remain a member.
- (F) Any active member in good standing who has their employment terminated by the employing agency due to a reduction in force caused by budget considerations may, upon request, retain active membership in the Lodge provided that the member pay dues equal to one third (1/3) of the annual dues of an employed member. Such request shall be subject to annual approval of the membership at a general meeting.

ARTICLE IV COMMITTEES

Section I Committees

- (A) The Labor and Negotiations Committee will be chaired by a bargaining unit member appointed by the Board of Directors. The Labor and Negotiations Committee chairperson shall function as chief executive officer of the bargaining unit for the purpose of negotiating and maintaining labor contracts. The Command Staff Affairs Committee shall be chaired by its elected chair, the Command Staff Liaison. All other Standing Committees shall be chaired by a member, appointed by the President.
- (B) All regular members of Standing Committees will be appointed by the President with concurrence of the Vice Presidents.
- (C) Total membership of each Standing Committee shall be no less than two members and no more than five members. Alternates may be appointed at the discretion of the President.
- (D) Special or Temporary Committees will be constructed as per Sections 1 through 3 above.

- (E) The President and Vice Presidents shall serve as ex-officio members of all standing Committees and all Special Committees except the Labor and Negotiations committee.

Section II

Committee Responsibilities

- (A) Legislative - to review legislation that impacts the Maryland-National Capital Park Police; report such legislation to the membership for input and position; to lobby elected officials as to the position of the Lodge.
- (B) Social - to plan, coordinate and oversee those events of the Lodge that are of a social, fraternal or fund raising nature.
- (C) Financial Affairs - to review and report to the Lodge its findings on requests for purchases totaling over one thousand (1,000) dollars per item; assist the Treasurer when requested; review and report to the membership any By-Law amendment that has a financial impact on the Lodge.
- (D) Labor and Negotiations - to review issues concerning collective bargaining; compile those issues for presentation at negotiation sessions with input from the bargaining unit. This committee has the authority to preliminary approve the Labor Agreement before its presentation to the Bargaining Unit. Membership in this committee is restricted to active members holding the rank of Sergeant or below the rank of Sergeant.
- (E) Command Staff Affairs (formerly known as Concerns of Police Supervisors "COPS") - to review issues concerning pay, benefits, working conditions for officers holding the rank of Lieutenant and Captain, present the position of the committee members to the employer in any meet and confer meeting concerning these issues. Membership in this committee is restricted to active members who hold the permanent rank of Lieutenant or above the rank of Lieutenant.

ARTICLE V MEETINGS

Section I

Open And Executive Session

- (A) All meetings of the Board of Directors will be open to any active or associate member for the purpose of information only, and said members will have no right to debate, discussion, or voting.
- (B) The scheduled meetings of the Board of Directors shall be announced at the general meeting. Meetings of the Board of Directors shall occur no less than four (4) times per calendar year.
- (C) Sections (A) and (B) of this By-Law may be waived at the discretion of the Board of Directors by moving to Executive Session when a situation arises affecting the immediate welfare of an active member of this Lodge, his immediate family, or for the purpose of discussing financial or labor related contracts and agreements of the Lodge.
- (D) A majority of the Board of Directors present is required to conduct a meeting. The President may conduct a telephone poll of the members of the Board of Directors for position of the Board in emergency or other situations as they arise that require immediate action. If a telephone poll is conducted the results will be made available at the next board or membership meeting.
- (E) Meetings of the Board of Directors will be scheduled at the discretion of a majority of the Board or the President.
- (F) Meetings of the Labor and Negotiations and Command Staff Affairs Committee's may be held in Executive session at the discretion of the committee chairperson.

Section II

General Membership

- (A) Meetings of the membership will be held at a location determined at general membership meetings.
- (B) Only members in good standing may vote at meetings.
- (C) A total of ten (10) active members, which constitute a quorum, must be in attendance of a scheduled meeting to conduct the business of the Lodge.
- (D) Associate or honorary members may attend meetings, however, they possess no voting authority.
- (E) There shall be no less than eight (8) membership meetings, excluding special meetings, held per year.
- (F) Special meetings are those meetings called to discuss a specific issue of significance that must be resolved prior to the next scheduled membership meeting.

ARTICLE VI FINANCES

Section I

Accounts and Expenditures

- (A) The Secretary or President and the Treasurer are required to maintain an administrative fund not to exceed one thousand (1,000) dollars, to be held by the Secretary or President for routine Lodge expenses. The Secretary or President will be required to maintain a ledger of all expenses.
- (B) All checks issued by this Lodge will be signed by the Treasurer, Secretary and/or the President.
- (C) An independent auditor or Lodge accountant will review the books annually.
- (D) The Board of Directors is authorized to routinely make expenditures on behalf of the Lodge, providing such expenditure for any one item does not exceed \$1000.00. Expenditures related to

the day to day operation of the Lodge and expenditures to meet required per capita taxes are excluded.

- (E) Expenditures in excess of \$1000.00 shall be approved by the membership at any general meeting.
- (F) Limitations of expenditures by the Board of Directors may be waived in situations which directly affect the immediate welfare of any active member of the Lodge, or directly affect the credit and financial good standing of the Lodge itself. In either case, the Treasurer will make a detailed report to the membership at the earliest possible date, preferably the next general meeting. This report is to include the reason(s) the funds were allocated, and for what purpose(s) the money was spent.
- (G) All books and financial records shall be open for inspection by any member in good standing, upon written request, at the General Membership Meeting.
- (H) The Board of Directors and Committee members shall be reimbursed for all out of pocket expenses and mileage, at the prevailing Internal Revenue Service rate per mile, when conducting Lodge business. Any member, who at the direction of the President or the Board of Directors, conducts business shall have his expense reimbursed at the same rate. A detailed report shall accompany the request for reimbursement and shall be approved by the membership.
- (I) Salaries or honorariums may be paid to any member of the Board of Directors, Committee Chairs or Stewards. The amount of salary or honorarium shall be set by the general membership at a regular meeting and reviewed annually thereafter.

ARTICLE VII

APPOINTMENTS

Section I

Appointed Officers

- (A) The following officers may be appointed by the President, with majority consent of the Board of

Directors, and will serve at the pleasure of the President during his term of office:

- (a) Chaplain
- (b) Sergeant at Arms
- (c) Conductor
- (d) Parliamentarian
- (e) Public Information Officer
- (f) Station or Unit Stewards

- (B) The President will be required to announce the appointments at the next general meeting following the appointments.

Section II

Dismissal Of Appointed Officer And Committee Members

- (A) An appointed officer or member of any Standing Committee shall be dismissed from his position by (a) a 2/3 vote of the Board of Directors, or (b) a 2/3 written petition of the active membership.

Section III

Professional Services

- (A) Services that require a licensed professional for the service to be rendered, may be retained for use by the Lodge only with the approval of the Board of Directors.

ARTICLE VIII

COUNSEL

Section I

Appointment

- (A) The President, with the concurrence of a majority of the Board of Directors, shall appoint all legal

and labor counsels for the Lodge.

Section II

Removal

- (A) Any Counsel for the Lodge may be dismissed at the discretion of a majority of the Board of Directors.

Section III

Use

- (A) Any member, in good standing, by written request, may be represented by Pre-Paid Legal Counsel at any hearing board as it applies to the Law Enforcement Officers Bill of Rights, Merit System Board, Grievance Hearing as provided by the Collective Bargaining Agreement; or criminal trial for charges stemming from duty related incidents.
- (B) The Board of Directors will have sole authority to determine the extent that the Lodge will be liable for any legal expenses that are not covered in the Pre-Paid Legal Plan provided to the membership.
- (C) Denial of any additional representation by Counsel by the Board of Directors may be appealed to the membership at the next general meeting. After discussion, the Membership's decision shall be final and binding.
- (D) In exigent circumstances, the President may give preliminary approval of use of Counsel to the member. In such cases, the Lodge shall be responsible for legal fees until determination as prescribed in Subsection (B) of this Article.
- (E) Members who elect to be represented by Counsel not provided by the Pre-Paid Legal Plan, do so at their own expense.
- (F) The President and/or the Labor and Negotiations Committee Chair has the authority to confer with Counsel on matters pertaining to the Lodge or the Labor Agreement.

ARTICLE IX
LABOR AGREEMENT RATIFICATION

Section I

Notice

- (A) Upon tentative settlement of the Agreement the Chairperson of the Labor and Negotiation Committee shall call at least two (2) meetings of the bargaining unit. At these meetings a summary of the agreement will be disseminated to the members and there will be a question and answer period for the members. Notice of the meetings will be made via electronic mail (email) to members via email addresses on file with the Lodge.

Section II

Voting

- (A) Voting will be done at a central location determined by the Committee Chairperson. At least three (3) days must have passed since the meetings were held as prescribed in Section I (A) of this article. The polls will be open for no less than six (6) hours.
- (B) The Committee Chairperson will appoint at least two (2) poll watchers, who will check the persons desiring to vote. The person voting must, if not recognized by the poll watcher, provide proof of identification. A list of bargaining unit members, eligible to vote, will be supplied by the Secretary. All voters must sign this list.
- (C) The poll watchers will tally the votes immediately upon close of the polls and report the results to the Committee Chairperson. The Chairperson will notify all police facilities of the results. The ballots will be sealed in a box, initialed by the poll watchers, and held for 30 days following the close of the polls. After 30 days the ballots may be destroyed.
- (D) Internet based voting (online voting) may be utilized in place of physical voting with majority approval of the Board of Directors. A voting committee shall be established by the Board of

Directors to oversee the online voting. At least three (3) days must have passed since the meetings were held as described in IX I (A) prior to the start of the internet based voting (online voting). Internet based voting (online voting) will be available to bargaining unit members, eligible to vote, for no less than three (3) consecutive days. Internet based voting (online voting) may only be utilized if each vote will be limited to one (1) per eligible member and by secret ballot. Upon the close of the internet based voting (online voting), the voting committee shall provide a copy of the vote hosting website's election result page to the Board of Directors and membership.

Section III

Challenges

- (A) Any bargaining unit member may challenge the results of the ratification vote. Challenges must be in writing, addressed to the Secretary and outline the reason for the challenge. All challenges must be received by the Secretary within forty-eight (48) hours after the close of the polls.
- (B) The poll watchers shall meet to discuss the challenge and issue their findings within twenty-four (24) hours of the meeting to the Board of Directors for a final and binding decision. If the challenge affects the final results of the vote, another ratification vote will be conducted.

ARTICLE X

GENERAL PROVISIONS

Section I

Resignations

- (A) Lodge #30 will accept a written resignation from any elected officer or member.

Section II

Impeachment Of Elected Officers

- (A) A written motion signed by 3/4 of the active membership requesting removal from office will

necessitate the officer in question to immediately surrender his office.

Section III

Adoption of Grand Lodge And Maryland Lodge Rules

- (A) The Fraternal Order of Police, Lodge 30, is a subordinate Lodge of the Grand Lodge, Fraternal Order of Police and the Maryland State Lodge, Fraternal Order of Police. As such, Lodge 30 adopts all Constitutional Rules and By-Laws of the Grand Lodge and Maryland State Lodge when Lodge 30's Constitution and By-Laws do not govern.

Section IV

Administration

- (A) The President and the Treasurer shall prepare an annual budget for approval by the Executive Board and adoption by the membership. The proposed budget must be submitted for adoption by the November meeting and take affect by January 1 of the following year.
- (B) The Secretary shall be required to maintain a book containing all resolutions passed by the Order.
- (C) The Board of Directors shall evaluate the feasibility of providing insurance programs to include, but not limited to health, life, dental and disability. The premium payments of members may be through existing dues deductions or by billing. Any insurance programs must be approved by the membership.
- (D) The State Trustee shall be responsible for conducting an inventory of all Lodge property. An annual audit shall be done no later than May of each year and a report submitted to the Board of Directors. The Secretary shall maintain the report.

Section V

State And National Conferences

- (A) The President and State Trustee by virtue of their office should be voting delegates of the Lodge at State and National FOP Conferences.

- (B) Delegates as authorized by the State or National FOP and alternates, if any, will be nominated by the Board of Directors of the Lodge by May 31. The Board will bring to the membership the names of the nominees for approval by vote.
- (C) Expenses of the delegates for travel, lodging and registration fees are the responsibility of the Lodge. The Lodge may affix a per diem for meals. Per diem rates shall be at a minimum equal to that of the employing agency's rate. The delegates, if in the bargaining unit, will be authorized FOP leave as prescribed in the Labor Agreement.
- (D) With the approval of the membership each delegate may be allowed a spouse or companion to attend the conference. The Lodge will pay only any additional lodging expense for the spouse or companion.

Section VII

Conferences, Conventions, Meetings, And Seminars

- (A) The Board of Directors may approve written requests by a member to attend any conference, convention, meeting or seminar other than State or National FOP Conferences.
- (B) The request must be for a conference, convention, or meeting that would be of benefit to the Lodge.
- (C) Expenses incurred by the attending member will be paid as prescribed in Section V, Subsection (C) & (D) of this Article.
- (D) If the request is approved, the member, if in the bargaining unit, will be authorized FOP leave as prescribed in the Labor Agreement.

ARTICLE XI

POLICY ON THE ARBITRATION OF GRIEVANCES

Section I

Appeal Of Executive Board's Decision Not To Take To Arbitration

- (A) Any active member in good standing, who is a grievant under the Labor Agreement, may appeal the Board of Directors' decision not to pursue the grievance to arbitration by appealing to the general membership. The general membership may, by a 2/3 vote, by petition, ballot or in attendance at a general membership meeting, override the Board's decision. However, if there is no appeal by the next general membership meeting, following the decision of the Board of Directors, the Board's decision shall be final. If the meeting of the Board of Directors or the General Membership meeting does not fall within the time limits to invoke arbitration, the President shall file a notice of intent to arbitrate with the M-NCPPC. Such notice may be withdrawn based on a request by the grievant or the decision of the Board of Directors or the membership. The decision of the Board of Directors or the membership shall include whether or not labor counsel shall be provided for arbitration.

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Revised 1/16