

SPFPA LOCAL 249 CONSTITUTION AND BY-LAWS

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Article 1 Name

- A. This organization shall be known as “Amalgamated Local 249” as part of the International Union, Security, Police and Fire Professionals of America (SPFPA), hereinafter referred to as the Local Union.

Article 2 Objective

- A. Security, Police and Fire Professionals have assumed a prominent and important role in society. Dedicated men and women provide continuous protection of government personnel, property and/or its clients and contractors. Such security professionals are entitled to protection of their human, social and economic rights through self-organization, concerted activity and collective bargaining.
- B. This Local Union subscribes to this philosophy and declares that its objectives shall be as follows:
- To uphold and to bargain for decent standards of living by establishing, through collective bargaining, decent hours and wages for our members in accordance with their needs and desires and to strive for working conditions compatible with human dignity.
 - To obtain justice for all its members by utilizing the conference tables for that purpose in accordance with all applicable laws.
 - This Local Union will not discriminate against members or withhold membership because of race, color, creed, national origin, age, sex, handicap, religion, marital status or sexual orientation.

Article 3 Constitution and By-Laws

- A. These Constitution and By-laws shall govern this Local Union and in all respects conform to and not contradict the Constitution and By- Laws of SPFPA International Union, hereinafter referred to as International Union. These By-Laws can be amended only by a majority vote of the members at a monthly meeting.

Article 4 Jurisdiction

- A. This Local Union shall have jurisdiction in Missouri, Kansas, Iowa and Nebraska.

Article 5 Membership

- A. This Local Union shall be composed of Protective Service Officers, hereinafter referred to as PSO’s, working on the Federal Contract in Missouri, Kansas, Iowa and Nebraska.
- B. All PSO’s working to protect the personnel or property on the Government contract shall be eligible for membership with this Local Union.

- C. No person who is a member of any subversive organization advocating the overthrow of the Government of the United States by subterfuge or violence, or who subscribes to such disloyal philosophy, shall be eligible for membership in this Local Union.
- D. Any PSO who has worked on this Government contract may apply for membership to this Local Union. All applicants for membership shall fill out an application form provided by the Local Union. All applications shall automatically be accepted by this Local Union. Not later than thirty (30) days from the date the application is received by the Financial Secretary-Treasurer of the Local Union, it may be rejected for causes as set forth in the Constitution and By-Laws of the International Union, Security, Police and Fire Professionals of America (SPFPA) or the Local Union.
- E. Membership shall date from the first day of the month for which dues are paid; however, if dues have been waived (i.e. military, medical or suspension), membership shall date from the first day of the month in which the application for membership is received.
- F. Applications for membership rejected by the Local Union shall not be reconsidered until thirty (30) days have elapsed.
- G. The original application form signed by each member shall be retained by the Local Union for its record and official receipt shall be given to each new member for all monies paid. All receipts shall be made out in duplicate, the original to be given to the member, the duplicate to be retained by the Local Union and made available to the International Union upon request. These duplicate receipts may be destroyed only upon approval of the International Secretary-Treasurer.
- H. No new member will be recorded at the International Office nor will any initiation fees or per capita taxes be accepted for new members until a monthly report is received from the Financial Secretary-Treasurer of this Local Union.
- I. Membership shall be defined as members in good standing as set forth in the International Constitution and By-Laws. All members in good standing will be granted full voting privileges. Each member in good standing of this Local Union has the right to express opinions, views and arguments on all subject matter and business before the Local Union; to attend all membership meetings, to nominate candidates for office, to meet and assemble freely with other members; and to participate in the activities of the Local Union in a responsible manner consistent with good conscience in order to present and discuss factually and honestly the issues upon which the membership must base its decisions. These rights shall at all times be subject to the rules of procedure governing meetings and other uniform rules and regulations set forth in the International Constitution and By-Laws and other official rules to the Local Union.
- J. A member in exercising the foregoing rights and privileges shall not take irresponsible actions which would jeopardize, destroy or be detrimental to, either the Local or

International Union as organizations, or their free democratic heritage, or which would interfere with their performance and their legal or contractual obligations as a collective bargaining agent, or interfere with the legal or contractual obligations of this Local Union as an affiliate of the International Union. Violation or abuse of these rights and privileges of membership, or engaging in conduct prohibited by this section shall be considered conduct unbecoming a union member.

- K. The membership shall strive to obtain the objectives set forth in the International Constitution and additional objectives established as policy by the International Union; to maintain free relations with other organizations; to do all in its power to strengthen and promote the labor movement; to cooperate with its International Representatives and help promote organizational activities.

Article 6 Powers of the Local Executive Board

- A. This Local shall be governed by its membership.
- B. The membership is the highest authority of this Local Union and shall be empowered to take or direct any action consistent with the International Constitution and By-Laws or these Local By-Laws.
- C. Between regular meetings or membership votes, the highest authority shall be the Local Executive Board which shall meet at least quarterly, or as often as necessary subject to the call of the Officers of the Local Executive Board.
- D. Between meetings of the Local Executive Board, the administrative authority of this Local Union shall be vested in the Local Union President. The Local Union President shall be responsible to the Local Executive Board for the administration of the Local Union, according to the Constitution and By-Laws of the International and the Local Union. He/she shall consult the other Executive Board members on all matters of major importance and shall report his/her actions to the Local Executive Board for approval or rejection. The Local Union President shall be empowered to act on behalf of the membership to the extent that urgent business requires prompt and decisive action; subject to approval of the Executive Board.

Article 7 Officers and Elections

- A. The elective officers of this Local Union shall consist of one (1) President, one (1) Financial Secretary-Treasurer, one (1) Vice President, one (1) Recording Secretary, two (2) or three (3) Trustees, one (1) Sergeant-at-Arms and/or one (1) Guide (1) Chief Steward. The amount of officers may be altered as necessary. It shall be noted the elected Executive Board shall attend all conventions and summits as needed.
- B. Any member in continuous good standing for one (1) year prior to the nominations shall be eligible to be nominated and elected as an Executive Officer. No member may run for

or hold more than one elected office on the Executive Board simultaneously, with the exception of chairpersons of standing committees other than the Election Committee.

- C. The term of office of the elective officers of the Local Union shall begin with their installation and continue for a minimum of three (3) years and until their successors shall have been qualified and installed. The next election for officers shall take place in 2015 and every three (3) years thereafter.
- D. The members shall be notified for nomination and election of Executive Officers and other elected positions. The notice shall be announced at a membership meeting, distributed by mail and posted at the Local Union office. The notice shall include the dates, times and places of the nominations, elections, possible run-off elections and the instructions for accepting nominations.
- E. The nominations shall be held in December preceding the election.
- F. By the fifth (5th) day of December the year preceding the election, the Financial Secretary shall furnish the chairperson of the election committee, an accurate and complete list of all members eligible for nomination and an accurate and complete list of all members eligible to vote.
- G. The current recording secretary shall cast a unanimous vote for all unopposed candidates in any election. This vote shall be in writing to the chairperson of the election committee immediately following the close of nominations. The names of the unopposed candidates shall not appear on the ballot.
- H. The election of the Executive Board and Stewards shall be held January 15 to February 15 of the election year but no sooner than fourteen (14) days after the close of nominations. The election shall be voted by secret ballot at the designated time and location and shall require a majority vote for the office from all votes cast. Balloting shall be conducted so to afford all members a reasonable opportunity to vote. Every member must personally cast his/her vote by mail or in person or by absentee ballot. Absentee ballots must be provided for members who are unable to vote in person because of circumstances beyond their control, in accordance with Article XXV 8 (a) of the International Constitution and By-Laws.
- I. Upon the close of the polls, all ballots shall be counted immediately by the Election Committee. Each candidate may designate one (1) member in good standing to be present at the polling places and at the ballot count as an observer.
- J. Following each election, the Election Committee shall report in writing the results of the election at the next membership meeting.
- K. Incoming elective officers of this Local Union shall be obligated and installed at the next membership meeting following the elections. The statement of obligation shall be the

same as provided in the International Constitution and By-Laws. Protests concerning the election of any Local Officer can be filed only by a member in good standing, in accordance with Article XXV of the International Constitution and By-Laws, and must be filed within seven (7) days after the close of the election. The membership may order a new election, acting upon a protest; the matter shall be submitted to the Local Union Secretary- Treasurer.

- L. In the event of death, removal or resignation of any Local Executive Board member, the President shall, as soon as possible, select an eligible replacement who will serve for the remainder of his/her predecessor's term of office. It shall require a majority vote of all members of the Executive Board to elect a successor.
- M. If you are elected to an Executive Board position you are required to attend at least one (1) meeting per quarter. Failure to attend meetings will allow the Executive Board to remove you and appoint someone to complete your term.

Article 8 Election Committee

- A. Elections and contract ratification votes shall be held under the supervision of a democratically elected Election Committee. The Election Committee shall be responsible for the publication of notice for nominations and elections, the verification of the eligibility for candidates, the organization and supervision of election proceedings, and the counting of ballots.
- B. The Election Committee shall consist of three (3) members in good standing and two (2) alternates who are in good standing. The term of office for the Election Committee shall be three (3) years. The chairperson of the Election Committee is selected by the members of the committee.
- C. A membership meeting shall be called for the purpose of nominating and electing the Local Union Election Committee members. Any member in good standing, who does not currently hold an office or is a candidate for office, may accept the nomination at the meeting. The vote will take place immediately following the close of the nominations. The Election Committee members and alternates will be elected by majority vote. Notice of the meeting shall be distributed at least seven (7) days in advance by mail.
- D. The alternate members of the Election Committee shall assist in the conduct of the election as needed.

Article 9 Duties of Executive Board Officers

- A. The Executive Board shall hold meetings as necessary, minutes shall be taken and made available to the membership for viewing. A simple majority of the Executive Board but not less than three members shall constitute a quorum. All decisions and recommendations of the Executive Board shall be referred to the next membership

meeting. It shall be the duty of the Executive Board to see to it that all policies formulated by the membership or the Executive Board are duly executed. The Executive Board shall decide upon requests by Stewards or members whether to advance a grievance to the International Union for arbitration review.

President

It shall be the duty of the Local President to preside at all meetings of the Local Union, sign all orders on the Treasury authorized by the Local Union, countersign all checks issued by the Financial Secretary-Treasurer against account of the Local Union when ordered by the Union, enforce the provisions of the International Constitution and By-Laws and appoint committees not otherwise provided for. Except as provided in the International Constitution and By-Laws Article XXV, Section 8 (c), he/she shall be an Ex Officio of all committees.

Vice President

The Vice President shall assist the President in the discharge of his duties and shall attend all sessions of the Local Union, in the absence of the President or as deemed necessary by the Local Union. In the case of the absence or incapacity of the President, his/her duties shall be performed by the Vice President.

Recording Secretary

It shall be the duty of the Recording Secretary to keep a correct record of the proceedings of the Local Union, read all documents and conduct the general correspondence received by the Local which does not pertain directly to the duties of the other officers of the Local Union, and keep same on file for future reference. He/she shall bring to the attention of the membership of the Local Union any correspondence upon which the membership must take action. He/she shall furnish to the International President at least four (4) copies of the existing contracts.

Trustees

The Trustees shall have general supervision over all funds and property of the Local Union. They shall compile or cause to be compiled by a Certified Public Accountant, approved or designated by the International Union, the records of the Financial Officers of the Local Union quarterly using duplicate forms provided by the International Union, a copy of which shall be forwarded to the International Secretary-Treasurer immediately thereafter. The approved CPA shall also prepare the Local Union LM-2 and similar reports. It shall also be their duty to see that the Financial Officers of the Local Union are bonded in conformity with the Laws of the International Union. The Trustees shall see that all funds shall be deposited in a bank subject to an order signed by the President and/or Financial Secretary-Treasurer and/or International Secretary-Treasurer. In Local Unions where safety deposit boxes are used, the Trustees shall see that the signatures of

the President, Financial Secretary-Treasurer and one of the Trustees and the International Secretary-Treasurer are required before admittance to the Safety Deposit box is permitted. In the event the books are not received for compilation within fifteen (15) days after the end of each quarter, the Chairman of the Trustees shall make a report to the next meeting of the Local Union for action.

Sergeant-At-Arms

It shall be the duty of the Sergeant-at-Arms to introduce all new members, visitors and assist the President in preserving order when called upon to do so. He/she shall also take charge of all property of the Local Union not otherwise provided for, and perform such other duties as may be assigned to him/her from time to time.

Guide

It shall be the duty of the Guide to maintain order, inspect the membership receipts, satisfy himself/herself that all present are entitled to remain in the meeting of the Local Union and perform such other duties as are assigned to the office.

Financial Secretary-Treasurer

It shall be the duty of the Financial Secretary-Treasurer to receive all dues, initiation fees, re-admission fees, fines and all other incomes of the Local Union for any fund from any source and to give official receipts for same, as provided in the International Constitution and By-Laws. No receipt shall be issued to individual members unless the Company does not show on the check stub or pay envelope the amount of the deduction and the reason therefore.

He/she shall write all checks drawn on the Local Union funds and report in writing every month at a regular meeting of the Local Union giving the amount of monies received and paid out during the previous calendar month(s), divided as between the various income and expenditure classification and the remaining balances in the fund accounts of the Local Union.

All monies received must be deposited in such bank as the Local Union Trustees may direct for the several funds provided for in the International Constitution and By-Laws and such other funds as the Local Union may set up in the name and number of the Local Union. The International Secretary-Treasurer shall be named as a signator and account holder on all Local Union bank and other financial accounts, and he/she shall be provided with the name and location of the bank and the account number. He/she shall sign all checks which must be countersigned by the President. He/she shall deliver to his/her successor all monies and other property of the Local Union. He/she shall, on demand of the International Union or Trustees of the Local Union, produce his/her books for examination and audit.

He/she shall assist the International Union in seeing that all members receive the official publication regularly when eligible, provide each member with an official receipt for all monies paid and provide each member with a copy of the Constitution and By-Laws.

He/she furnish the International Secretary-Treasurer with the names and addresses of all the officers of the Local Union. He/she shall keep a record of all members initiated, suspended, expelled or deceased, transfers in and out and reinstatements during his/her term of office and notify the International Secretary-Treasurer of the same and perform such other duties as the Constitution and By-Laws prescribe or the Local Union may direct. There shall be maintained by the Financial Secretary-Treasurer a complete record of all active members of the Local Union. This record shall have the date of initiation, the date and cause of suspension or expulsion, the date of reinstatement together with the date of death, home address, and such other matters as may be deemed necessary to keep a record of the continuous membership of a member of the Local Union.

He/she shall keep an inventory of all records and property of the Union, the same to contain, when possible, date of purchase and amount paid for each article. He/she shall notify all members in arrears of the amount of their indebtedness and turn over his/her books to the Trustees for audit and approval when called to do so. He/she shall, on the demand of the International Secretary-Treasurer, produce his/her books for examination and audit, and shall comply with provisions of the International Constitution and By-Laws.

Should it be proven that any Local Union Financial Secretary-Treasurer has willfully and intentionally failed to report monthly the full membership of his Local to the International Secretary-Treasurer or should it be proven that any Local Union President, and/or Financial Secretary-Treasurer willfully and intentionally refused to sign a check to send in the full amount of per capita taxes on the same number of members who have paid dues to the Local Union, the officer or officers responsible for such failures shall be subject to removal in accordance with Article XXI, Section 14-16 of the International Constitution and By-Laws and shall not be allowed to again hold office in either the International or Local Union for a period of two (2) years.

Unless specifically provided otherwise in the Local Union's By-Laws, the Local Union President and the Financial Secretary-Treasurer shall be charged with like duties and responsibilities in the conduct of the affairs of their Local Union as the President and Secretary-Treasurer of the International Union in the conduct of the affairs of the International Union, under Article XIII.

Article 10 Stewards

- A. All members in good standing under the jurisdiction to be represented by the Stewards shall be eligible to vote for their Stewards.
- B. The Executive Board will determine the number of Stewards needed to ensure positive Union representation is available to all members.
- C. All Stewards must complete the Local Union Stewards training session and provide the Chief Union Steward with a copy of the certificate. Additional training courses may be approved by the Executive Board if circumstances warrants
- D. It shall be the duty of each Steward to fulfill his/her various duties faithfully as provided in the International Constitution and By-Laws, Local Union By-Laws, and in implementation of Local Union plans, including outreach and representation. Stewards who are personally involved in a grievance in which a conflict of interest may be perceived shall step aside for another Steward to handle the grievance.

Article 11 Fiscal Year

- A. The fiscal year of this Union shall begin on the First Day of April of each year and end March 31 of the following year.

Article 12 Initiation Fees and Dues

- A. Membership dues shall include the following financial obligations due and owing by a member or applicant for membership in accordance with Article XVII of the International Constitution and By-Laws.
- B. Initiation or reinstatement fees, as the case may be, in the amount of \$40.00. \$20.00 of this fee is forwarded to the International Secretary-Treasurer.
- C. Monthly fees hereinafter referred to as “dues”, in the amount equal to 2 ½ hours of straight time pay per month.
- D. All monies belonging to the Local Union will be deposited in an accredited account of the SPFPA Local.
- E. Military service personnel called to active duty for 30 days or more shall have their dues waived until they return to work.
- F. Member on medical leave for 30 days or more shall have their dues waived until they return to work.

Article 13 Budget and Finances

- A. Salaries will be payable in bi-weekly installments commencing the first pay period following the elections.
- B. Any salary increases provided for in this Article shall be voted on by the Local Union membership at a regular membership meeting. It must be on the meeting agenda and emailed out and posted prior to meeting. Not to exceed one (1) increase per calendar year.
- C. The salaries this Local Union shall provide are as follows:
- President shall receive \$300.00 per calendar month.
 - Financial Secretary-Treasurer shall receive \$400.00 per calendar month.
 - Vice President shall receive \$50.00 per calendar month.
 - Recording Secretary shall receive \$50.00 per calendar month.
 - Chief Steward shall receive \$175.00 per calendar month.
 - Iowa, Kansas, Missouri and Nebraska Stewards shall receive \$25.00 per calendar month.
- D. Salary should not be more than 20% of our monthly dues received from International.
- E. The Local Union will donate \$400.00 per calendar month to Working Family and Friends. This will be voted on annually.
- F. 10% of our monthly dues will be put into savings for grievances and contract negotiations.
- G. Any of the Local Union Executive Board, Steward or member who is on full time Union business shall receive their lost time compensation. Lost time is defined as the amount equal to his/her lost earnings from regular employment.
- H. Any member of the Local Executive Board or member who is on full time Union business out of town, 50 or more miles away, shall be allowed transportation fare by the shortest route to and from their destination, a per diem allowance in accordance with IRS guidelines, hotel and incidental expenses. In addition to the above, when these officers are required to incur organizational expenses for the good of the Local Union, such expenses shall be presented in itemized form for payment, it being understood that payment of such items is under the control of the Local Union Executive Board. The expenses of the Local Union Executive Board shall be strictly itemized and checked and these accounts be made available to any member upon request.
- I. The President and the Financial Secretary-Treasurer are authorized to approve expenditures of up to \$500.00, and pay ordinary operating expenses of the Local Union. All expenditures greater than \$500.00 must be approved by the membership.

- J. Advance approval of the Executive Board is required for reimbursement of travel and related expenses. If approval is required before the next Executive Board meeting, the President shall have the authority to approve.
- K. It shall be the Local Union's responsibility to pay for rent, utilities and telephone services for the office space for the Local Union Executive Board and the membership meetings. All bills are to be paid in a timely manner to not incur late fees or interest fees.
- L. Cell phones will be provided to Executive Board if requested.
- M. SPFPA Local 249 Annual Scholarship Program of \$2500 per year to be awarded to members children that apply. Total amount will be equally divided amongst applicants.

Article 14 Completion/Termination of Duties or Membership

- A. All Local Union officers, committees, stewards and other members handling funds or other property of the Local Union shall at the completion of their duties, turn over all papers, documents, funds and/or other Union property to the Local Union Secretary – Treasurer.
- B. If any unit of the Amalgamated Local 249 decertifies or severs their affiliation with the Local Union, the unit involved in the decertification automatically forfeits all rights to any assets belonging to the Local Union.
- C. All Officers, except the Financial Secretary-Treasurer may resign at any time. All resignations must be submitted in writing through the Recording Secretary, to the Executive Board.
- D. The Financial Secretary-Treasurer must present his/her resignation in writing one (1) month prior to the effective date; if the Treasurer reports are correct and verified by the Trustees, the resignation shall be accepted.

Article 15 Membership Meetings

- A. The Local Membership meetings are scheduled to be the second Tuesday @ 7:00 pm of the month. The Local Union Executive Board may postpone or reschedule the meetings as necessary. If the meetings are postponed or rescheduled, the membership will be notified by e-mail or telephone and posted as soon as possible.
- B. All questions of Parliamentary Procedure shall be decided by the Roberts Rules of Order.
- C. The meetings will be conducted in accordance with Article XXXII of the International Constitution and By-Laws. The following Order of Business is suggested, but may be altered:
 - Meeting Called to Order
 - Roll Call of Officers

- Applications for Membership
 - Initiation of New Members
 - Reading of Previous Meeting Minutes
 - Financial Report
 - Reports of Officers, Committees and Delegates
 - Unfinished Business
 - Good and Welfare
 - New Business
 - Meeting Adjourned
- D. Any member attending a meeting in an intoxicated condition or causing an unnecessary disturbance shall be expelled from the meeting.
- E. There must be three (3) Executive Officers present at a meeting to constitute a quorum.
- F. Any member in good standing may present a proper motion on the floor and it shall be acted on in a courteous and respectful manner by all officers and members.
- G. A motion, once passed shall be binding on all members of the Local Union; however motions may be repealed and/or amended later.
- H. Meetings will rotate equally among the four (4) states to ensure equal say in Union matters.

Article 16 Bereavement

- A. The Local Union shall make every attempt to send a floral arrangement and/or bible to any member's family or to the funeral home once notified of the death of an immediate family member as specified in the current CBA.

Article 17 Standing Committees

- A. The Local Union shall have a standing Election Committee. Other committees may be established as needed by the Executive Board.
- B. The Chairperson of each committee shall be elected by the members of the committee.
- C. These committees shall perform all duties assigned to them by the Local Union By-Laws and the Executive Board.
- D. All committees shall have attendance records and written minutes. The committee will give a report to the Executive Board. The Executive Board will report to the members the activity/recommendations of the committee at the next membership meeting.

Article 18 Records

- A. The Local Union will not furnish, lend, supply or divulge any member's personal information or local records unless that it is necessary for reports filed by the Local Union to the International Union, Federal or State Agencies.
- B. All Local Union records must be maintained at the Local Union office.
- C. All Local Union financial records shall be made available to members for viewing by contacting the Financial Secretary-Treasurer and arranging a suitable time or at the membership meetings.
- D. All Local Union financial reports and meeting minutes must be retained indefinitely. Other records such as, seniority rosters, schedules, bid announcements and bid awards must be retained for 5 years.

Article 19 Conventions and Summits

- A. This local union will send delegates to all International conventions and Summits. The delegates will be selected from the Executive Board. The decision as to how many delegates can be sent will be decided by the President according to the finances of the Local and approval by the membership. The delegates will be under the direction of the Local President and must report promptly for any scheduled business and will conduct themselves in a manner which is above reproach.

Article 20 Strike

- A. In accordance with Article XXXVII of the International Constitution and By-Laws, strikes may only be called when contractual agreement of employment do not prohibit this action and upon approval of the International.

Article 21 Collective Bargaining Committee

- A. The Collective Bargaining Committee shall consist of an International Representative, Local Union Executive Board and the Chief Union Steward. The Local Executive Board may alter the Committee to include any member(s) selected by the Executive Board or as necessary.

Article 22 Constitution and By-Laws Amendments

- A. The Local Union's Constitution and By-Laws may be amended by presenting a proposed amendment from the floor at a regular membership meeting in the form of a motion. The motion would be to amend an article(s) or section thereof. After discussion and debate, if

the motion to amend, in its form is passed, it will be stated clearly and will be voted on at the next regular membership meeting. A majority vote will adopt or reject the proposed amendment. The amendment, upon membership approval will be sent to the International Union for approval and recorded in Local records at the International.

New issues may be proposed and submitted to the Recording Secretary, who will consider the merits of such proposals and make recommendations to the membership. If the members approve the issue, it shall be added to the Local Constitution and By-Laws in the same manner as an amendment.

On the _____ day of _____ 2014, this document was approved and adopted by a majority vote by the members of Security, Police, and Fire Professionals of America (SPFPA), and Amalgamated Local 249. This document takes affect immediately until it is amended or superseded.

Wayne Cook
Recording Secretary

On the _____ day of _____ 2014 this document was reviewed and approved by Security, Police, and Fire Professionals of America (SPFPA) International Secretary-Treasurer.

Dwight E. Duley
International Secretary-Treasurer