



# INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS

HAROLD A. SCHAITBERGER  
General President

THOMAS H. MILLER  
General Secretary-Treasurer

## DOCUMENT

April 2, 2014

Donnie Lewis, Vice President  
Newport News Fire Fighters Association  
IAFF Local 794  
444 Skipjack Lane  
Cobbs Creek VA 23035-2037

Dear Brother Lewis:

I have completed my review of your amended Constitution and By-Laws to determine its compliance with the IAFF Constitution and By-Laws. During this review, I found a number of instances, discussed below, where changes should be made.

**Article 4, Section 4.6:** So that this section more closely follows the IAFF Constitution and By-Laws, Article XIII, Section 5, please consider adding the following provision: “A former member holding a valid withdrawal card will not be charged a reinstatement fee upon reentry into the organization.”

**Please note that all other provisions of this section as written should remain unchanged.**

**Article 4, Section 4.7:** To bring this section into full compliance with the IAFF Constitution and By-Laws, Article XIII, Section 4, please add the following: “Delinquent and suspended members are not entitled to any voice or vote in the Local or in the affairs of the International.”

**Article 5, Section 5.3:** The change to this section states that “[t]he quorum for any meeting of this local ... shall be the number of members in good standing present when the meeting is called to order ...” There are several problems with leaving the quorum amount undefined. First, questions may be raised regarding the validity of actions and decisions made at meetings if only a small number of members attend meetings and make decisions affecting the majority. Second, under Atwood’s Rules for Meetings, which your local follows, if a local does not specify a quorum amount in their Constitution, then the quorum amount is automatically set at a majority of the members. It is suggested that you specify a set quorum and that it be the average number of members who regularly attend meetings.

Donnie Lewis, Vice President, IAFF Local 794  
April 2, 2014  
Page 2

**Article 6, Section 6.2:** This section states, in part, that “[a]ny member in good standing and a registered voter in their state of domicile shall be eligible to be a candidate for office in this Local.” While I cannot compel you to remove this provision, you should carefully monitor this requirement to insure that members are not unfairly excluded from being nominees for office. I would also advise that you consult with the local’s attorney to ensure this section complies with Virginia and federal law.

**Article 6, Section 6.5:** The U. S. Department of Labor requires that local unions provide their members with at least fifteen (15) days written notice by U.S. mail identifying the date, time and place for election of officers [29 C.F.R. §452.99]. In addition, notice of nominations [29 C.F.R. §452.56] should be reasonably calculated to fully inform your entire membership of the nomination of officers. Although not always directly applicable to unions consisting solely of public sector employees, this notice requirement does apply to the election of delegates to IAFF Conventions and to the election of officers who serve as delegates to IAFF Conventions by virtue of their office, such as your President. So that you are in compliance with the above-cited Federal regulations, you should replace the first sentence of this section with the following: “Each member in good standing shall be given at least fifteen (15) days’ advance notice, in writing, of the date, time and place at which nominations shall be made, and at least fifteen (15) days’ advance notice, in writing, sent by U.S. mail to the last known address of the member, of the date, time and place at which elections shall be held.”

**Article 6, Section 6, Paragraph 5:** Please be advised that the IAFF Constitution and By-Laws, Article XIII, Section 11, encourages IAFF affiliates to enact a “fair, reasonable and legally acceptable” method for resolving ties in the election of officers, or else be subject to a mechanism for resolving ties in the form of drawing lots in the presence of both candidates. If you are unable to come up with an alternative mechanism for resolving ties, please add the following to this section: “If the final ballot of any officer election results in a tie between the candidates, the winning candidate for office shall be selected by the drawing of lots in the presence of both candidates.”

**Article 7, Section 7.4, Paragraph 2; Article 10, Section 10.2; Article 13, Section 13.2 (and elsewhere throughout your document):** In accordance with the IAFF Constitution and By-Laws, officers of the IAFF are referred to as General President and General Secretary/Treasurer. Please add the word “General” when making reference to IAFF principal officers.

**Article 7, Section 7.7:** The IAFF Constitution and By-Laws, Article XIII, Section 19, states that the amount of bonding the IAFF covers is the first \$5,000.00. Please amend this section by deleting “The expense of such bonds shall be borne by the International” and replacing it with the following: “The expense of the first \$5,000 of Bond shall be borne by the International.”

Donnie Lewis, Vice President, IAFF Local 794  
April 2, 2014  
Page 3

Although I recommend that you adopt the changes outlined above, I am nonetheless approving your Constitution and By-Laws. At your earliest convenience, please have your members adopt the changes outlined above and submit a revised Constitution and By-Laws to this office.

Sincerely and fraternally,

A handwritten signature in black ink that reads "Harold A. Schaitberger". The signature is written in a cursive style with a large, stylized initial "H".

Harold A. Schaitberger  
General President

Enclosure

HAS/BR:rpd

Cc: William V. Taylor, Vice President, IAFF District 4  
Wayne T. Berry, President, IAFF Local 794

\*\*\* Highlight text has been altered from past by-laws

## CONSTITUTION

### ARTICLE 1

#### Name

Section 1.1: This organization shall be known as the Newport News Fire Fighters Association, Local 794 of the International Association of Fire Fighters, of Newport News, Virginia.

Section 1.2 Reference in this constitution and By-laws to Local or Local 794 shall refer to this Local as set forth in Section 1 above, and references to International shall refer to the International Association of Fire Fighters.

Section 1.3 This Local ~~Union~~ its officers, representatives and members shall recognize, observe and be bound by the provisions of the Constitution and By-laws of the International Association of Firefighters, its General President and the decisions of the Executive Board, and the decisions of the International when such decisions are made under the authority granted by the Constitution & by-laws of the International.

Article 13 of the Constitution and By-laws of the International is recognized as providing the basic rules governing this Local.

### ARTICLE 2

#### Objective Criteria

Section 2.1 The purpose of this Local shall be to maintain at all times a higher degree of skill and efficiency, the maintenance of discipline, and careful observance of the rules and regulations of our fire department. This is to cultivate a unity, friendship, and fellowship among its members to secure for us the intellectual, social and economic privileges that are due to all men and women.

Section 2.2 any job actions taken by this local will require 2/3 vote of the entire membership.

International Association of Fire Fighters  
AFL-CIO, CLC

**APPROVED**



IAFF, General President 4/2/2014 Date

## ARTICLE 3

### Jurisdiction

Section 3.1 the jurisdiction of this Local shall include all persons engaged in firefighting, EMS, or fire prevention who are permanent and paid employees of the Newport News Fire Department. This includes but is not limited to, Chiefs, Captains, Lieutenants, Firefighters, & Firefighter/Medics.

## ARTICLE 4

### Membership

Section 4.1 Active Member- Any person of good moral character who at the time of making application is engaged in service within the jurisdiction of this Local, as given in Article 3.1, will be eligible for active membership. Anyone eligible for membership in this Local shall not be refused membership or, upon acceptance, be discriminated against because of race, color, creed, national origin, gender, and sexual orientation or by reason of disability. (Article 3, section 1)

Section 4.2 Two members in good standing shall propose applicants for membership at a regular membership meeting and shall require a majority of all members present and in good standing as defined in Article 5 for acceptance. Application for membership will be available ten days after an applicant's date of hire with the Newport News Fire Department, City of Newport News, Virginia, and must be accompanied by the initiation fee and one month's dues in advance.

Section 4.3 the newly elected member, before being admitted, shall subscribe to the following affirmation:

" I, (name of candidate), do sincerely promise to abide by the By-laws of the International Association of Fire Fighters. I also promise to bear true allegiance to the International Association of Fire Fighters and all for which it stands, and never consent to subordinate its interest to those of any other labor organization. I further promise, that I will never knowingly wrong a sister or brother or see them

wronged, if in my power to prevent it. To this, I pledge my honor to observe and keep, as long as life remains, or until the International Association of Fire Fighters may absolve me from this obligation.”

Section 4.4 Honorary Members - For meritorious service to this Local, or for distinguished public service, persons may be elected honorary members by majority vote of all members present and in good standing at a regular membership meeting. Honorary members shall not pay initiation fees, dues or other charges and shall have no voice or vote in the Local. Such membership may be revoked for cause.

Section 4.5 Maintenance of Good Standing - Members in good standing includes any person who has fulfilled the requirements for membership in this Local, who has not voluntarily withdrawn, become 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 of this Local.

Section 4.6 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. This local 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. Any 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 / her active membership in this Local.

Section 4.7 Dues - Dues shall be paid on the first day of the month by all members' of this Local. Dues shall be paid by automatic deduction through the Newport News Municipal Credit Union or by an automatic money transfer company (i.e.-PayPal) as designated by the Executive Board for person(s) approved for membership after September 1, 2013. Members approved for membership prior to September 1, 2013 shall be exempt from this rule.

If a member fails to make payment by the fifteenth day of the month, the member shall be notified by the Treasurer that they is delinquent and will be automatically suspended and lose their good standing status. If payment is not made within sixty days following such notification, the member will be suspended and notified of such. If payment of all delinquent dues is not received within 90 days from initial notification the member will be dropped from the roles and will need to re-apply as a new member according to Section 4.2. The Treasurer shall be held strictly accountable for all-delinquent dues notification.

Section 4.8 Suspension - A member suspended from this Local for non-payment of dues shall be eligible for reinstatement according to the following procedure: They shall submit an application as a new member, as provided in Section 4.2. If such application is accepted by the body, the member shall thirty days to pay the treasurer the sum of all back dues in addition with the current month's dues

A member suspended from this Local for non-payment of dues shall be eligible for reinstatement according to the following procedure. The member shall pay back all dues accumulated during the period between the last payment of dues and the time of suspension in addition to the dues of the current month to the Treasurer. Said member will also be required to pay future dues through automatic deduction through the Newport News Municipal Credit Union or by an automatic money transfer company (i.e.-PayPal) designated by the Executive Board.

Upon the fulfillment of these requirements the member shall be eligible for reinstatement as a member of this Local at the next regular meeting.

Section 4.9- Application for active membership – all current employees of the Newport New Fire Department will be eligible to become a member of the Newport New Fire Fighters Association, IAFF Local 794. They shall complete an “Application for Membership” form and return it to the President, Vice President, or Treasurer along with a paying an initiation fee equal to one month's dues plus the current months dues.

## ARTICLE 5

### Meetings

Section 5.1 Regular meetings of this Local shall be held on the second Wednesday and following Thursday of each month or at the discretion of the Local President

Section 5.2 Special meetings may be called by vote of a majority of the Executive Board. All members in good standing shall be notified in writing of such special meeting at least seven days prior to the same. The notice shall state the business to be conducted at the special meeting and no other business shall be conducted at such meeting.

Section 5.3 Quorum - The Quorum for any meeting of this Local, with the exception of Executive Board meetings, shall be the number of members in good standing present when the meeting is called to order. Executive Board meetings shall be three members of the board present for a quorum.

Section 5.4 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 manner as not to interfere with the legal or contractual obligations of the International or of this Local.

Section 5.5 Rules for Meetings - The rules contained in Atwood's Rules for Meetings, shall govern the meetings of this Local in all cases that it does not conflict with this Constitution and By-laws, or the Constitution and By-laws of the International, or interpretations of these documents.

No members shall be permitted the use of tobacco products or alcohol while in meeting area.

## ARTICLE 6

### Officers and Elections

Section 6.1- The principle officers of this Local shall consist of a President, Vice President, Secretary, Treasurer, and three Trustees.

Members of the Executive Board shall hold office for two-year terms, with the exception of trustees. These terms are to be staggered with the President and Treasurer to be elected to serve in even years and the Vice-President and Secretary to be elected to serve odd years. Trustees will be elected annually. All shall serve until the election and installation of their successor unless removed from office as provided in the Constitution and By-laws. The same individual may hold the offices of Secretary and Treasurer.

Section 6.2 Eligibility for Office - Any member in good standing and a registered voter in their state of domicile, shall be eligible to be a candidate for office in this Local.

Candidates shall have attended at least forty-nine percent (49%) of all regularly scheduled meetings or events of the Local during the twelve (12) months prior to the date of election.

Section 6.3 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 candidate's own personal expense. "A candidate for office" includes a candidate for membership on the Executive Board. There shall be no discrimination in favor of or against any candidate with regard to the use of membership lists.

Section 6.4 Use of Funds Prohibited in Elections - No funds received by this Local through initiation fees, dues or assessments or otherwise, shall be contributed or applied to promote the candidacy of any person in election of officers. This section does not prevent the expenditure from Local funds for notices, factual statements of issues and other necessary expenses to conduct elections so long as they do not involve promotion of any candidate.

Section 6.5 Method of Nomination and Election - All members in good standing shall be given at least fifteen days notice, in writing, of the date, time and place at which nominations and elections shall be held. Any member in good standing may nominate eligible members for office. Elections shall be by secret ballot, even though only one candidate is nominated for a given office. There shall be no voting by proxy in the election of Local officers.

Electronic/Online voting may be used for the election of officers who are not to serve as delegates to the IAFF Convention, or for any issue submitted to the entire membership for a vote.

The computer program shall, at a minimum, contain the following elements: (1) sufficient encryption to ensure security and authenticity of the vote; (2) a mechanism to ensure each member votes only once on each issue and that the member's identity is secret; (3) password protection; and (4) the ability to calculate total votes. Online voting shall be available on the Internet, and only accessible to members of the local.

*Electronic Balloting Procedures* - The ballot will be prepared and reviewed by the Election Committee prior to being posted on the web site to each member in good standing of Local 794, at least 15 days prior to the election. The vote will be conducted by a secret ballot electronically over the Internet. A date will be selected by the committee as to when the election will open and close. During the election period no access to the administration area (Online Voting) on the web site will be allowed by the E-Board or members. The only access to the administration area (Online Voting) will be giving to the Election Committee and that access is to validate the vote only. If a problem arises the webmaster will inform our Election Committee of the problem and the Election Committee will determine how to proceed with instructions to the membership. After the election has been completed by the announced date, a copy of the results will be provided by our webmaster to the Election Committee. The Election Committee will confirm with the webmaster that no member has accessed the administration area (Online Voting) during the election.

The candidate receiving a majority of the ballots cast shall be declared elected, for office of President, Vice President, Treasurer, and Secretary. If no candidate receives a majority of the ballots cast, the balloting shall continue until there is a majority vote. For the office of trustee, the three candidates with the most votes will be declared the winners. No write in votes accepted.

Section 6.6 Elections Committee - The President shall appoint an election committee which shall be responsible for distributing and tabulating the ballots and shall have such functions as are provided in Article 13, Section 11 of the International Constitution and By-laws. 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.

Section 6.7 Ballots Preserved - the Secretary shall preserve the ballots and all other records of an election for two years following such election.

Section 6.8 Vacancies in Office - When an office becomes vacant by reason becomes vacant by reason of death, resignation, or removal of the incumbent, the Executive Board shall elect a successor by majority vote, no later than thirty days from the date the office is vacated.

## Section 9

Affirmation of Officers - Before entering upon the duties of their respective offices, the newly elected officers shall subscribe to the following affirmation:

I \_\_\_\_\_ do hereby sincerely pledge my honor to perform the duties of my office as prescribed by the laws of this Union, and to bear true allegiance to the International Association of Fire Fighters. I will deliver to my successor in office all books, papers and other property of this Union that may be in my possession at the close of my official term. I will also deliver all property of the International Association of Fire Fighters to the President of it upon demand.

All of this I do solemnly promise with the full knowledge that, to violate this pledge is to stamp me as a man devoid of principle and destitute of honor.

## ARTICLE 7

### Duties of Officers

Section 7.1 President - It shall be the duty of the President to preside at all meetings of the Executive Board and this Local. The president shall be the executive head of the Local. The President shall be a member ex-officio of all committees. They may appoint committees as provided for in this Constitution. The Local may authorize By-laws and such special committees. Together with the Treasurer, the president shall sign all orders and checks lawfully and properly drawn. The president 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. They shall have general supervision of activities of the other officers and chairpersons of committees.

The President shall discharge on behalf of the Local such duties as may be imposed upon him by applicable law.

The President, by virtue of this elected office, shall be a delegate of this Local to the convention of the Virginia Professional Fire Fighters and the International. The President shall also have the authority to appoint a representative to attend the above functions as a representative of Local 794.

Section 7.2 Vice President - The Vice President shall assist the President in such a manner as the President may determine. In the absence of the President, they shall preside over 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 7.3 Secretary - 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. The secretary shall keep an accurate record of the meetings of the Local, and of the Executive Board. The secretary shall conduct the correspondence of the Local promptly, and shall maintain the official list of members in good standing, which shall be kept accurately and on current basis. The position may be held by the current treasurer when position is vacant and such appoint is made by the Executive Board.

Section 7.4 Treasurer - The Treasurer shall discharge, on behalf of the Local, such duties as may be imposed upon them by applicable law including the execution and filing of any reports to Federal or State authorities. The Treasurer 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 Treasurer shall receive all money due the Local, from whatsoever source, and shall disburse the same only by 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. They shall maintain and keep current a record of members with their dues payments, assessments and all financial transactions promptly and accurately entered. They shall be prepared to exhibit receipts and vouchers upon the audit of the books. They shall forward the annual audit of the Local to the International Secretary/Treasurer over the seal of the Local, not later than June first of each year.

The Treasurer may, with approval of majority vote by membership, may seek out and counsel with a certified public accountant to assist with correct maintenance of books and files and to assist with the appropriate filing of Federal taxes, State Taxes, Local Taxes, and any other required or necessary fees needed to maintain non-profit status and state charter as an association.

Section 7.5 Executive Board - The Executive Board shall consist of the President, Vice President, Secretary, Treasurer, and three trustees who are elected at the annual meetings. 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 membership at the next regular meeting of the Local. It shall provide for the annual audit of the Treasurer's books. It shall meet at the call of the President or on call by a majority of its members. A majority shall constitute a quorum.

Section 7.6 Board of Trustees – The Board of Trustees shall provide for the annual audit of the Treasurer's books. They shall meet at the call of the president or on call by a majority of its member.

Section 7.7 All offices 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 General Secretary/Treasurer, in compliance with applicable law. The expense of such bonds shall be borne by the International. If additional bond is necessary, the Local shall pay the additional premium. The local shall have sufficient bond to cover at least ten (10%) percent of its current liquid assets.

## ARTICLE 8

### Delegates and Alternates to International Conventions

Section 8.1 **Delegates** - If in accordance with Article 4, Section 2, of the International Constitution and By-laws, this Local is entitled to delegates in addition to the President. They shall be elected by secret ballot of the members in good standing, present at the meetings in which the vote is taken.

Delegates shall serve two

Section 8.2 Alternates to conventions shall be elected by secret ballot of the members in good standing. The credentials of delegates and alternates must certify to this method of election.

## ARTICLE 9

### Initiation Fees, Dues and Assessments

Section 9.1 Initiation fees shall be equal to one (1) month's dues.

Section 9.2 Dues shall be equal to one percent (1%) of the starting salary of a Newport News Fire Department Fire Fighter, effective January 01, 2002. Dues shall be assessed and changed on January 01 during even numbered years, to reflect any changes in starting salaries.

Dues shall be rounded to the nearest dollar amount.

Section 9.3 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 assessment shall become effective upon a majority vote of the members in good standing by secret ballot, at a regular or special meeting.

Section 9.4 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 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 of the members in good standing by secret ballot at a regular or special meeting.

Section 9.5 Reinstatement fees shall be the total of all dues accumulated during the period between the last payment of dues and the time of suspension in addition to the dues of the current month to the Treasurer. Said member will also be required to pay future dues through automatic deduction through the Newport News Municipal Credit Union or by an automatic money transfer company (i.e.-PayPal) designated by the Executive Board.

## ARTICLE 10

### Misconduct, Trials and Appeals

Section 10.1 Any member charged with misconduct as defined in Article 15 of the International Constitution and By-laws, shall be served with written specific charges as required in Article 16 of the Association Constitution. Then given reasonable time to prepare his defense and afforded a hearing as provided in Article 17 of the Association Constitution.

Section 10.2 Appeals may be made in accordance with Article 18 of the International Constitution and By-laws; such appeals must be filed with the President of the Association within 30 days of the action to be appealed.

## ARTICLE 12

### Socials

Section 11.1 Socials shall be held at the discretion of the membership.

## ARTICLE 13

### Amendments

Section 13.1 This Constitution and By-laws made under its provisions, may be amended by two-thirds vote, at a regular meeting, provided that each member in good standing is notified in writing of the proposed amendment at least 15 days in advance of the meeting at which the vote will be taken.

Section 13.2 A proposed amendment to this Constitution or any By-laws made under its provisions shall be submitted for approval, to the International President prior to its printing, issuance, or effectiveness.

## ARTICLE 14

### Management, Investment, and Disbursement of Union Funds and Property

Section 14.1 the money and property of this Local Union shall be used solely for the benefit of the Local and its members and not for the personal gain and/or profit of any officers or members. Local Union officers, agents, representatives and employees who handle the Local's funds or property shall be held to this standard of conduct and accountable for any breach thereof under this and the International Association Constitution and By-laws as provided by law. Such officers as are given the fiduciary responsibility under the Constitution or By-laws shall manage, invest and expand its funds and property only in accordance with applicable provisions of this Local's Constitution and By-laws and any other resolutions properly adopted hereunder.

Otherwise funds and property may not be invested, used or disbursed except under majority approval of the members in good standing at a regular or special meeting of this Local.

Section 14.2 All contributions to charitable or political organizations shall be limited to \$200.00 unless otherwise requested by a member in good standing and approved by a majority vote of the members present at the time of the request.

Section 14.3 Stipends shall be issued on the fifteenth day (15) of each month to all Executive Board members, in good standing, at the following increments. President - ten percent (10%), Vice-President at eight percent (8%), Treasurer at six percent (6%), Secretary at five percent (5%) and Trustee's at two percent (2%); of a NNFD Fire Fighter / Medic's monthly starting salary.

Section 14.4 Websites and Social Media – the Executive Board may choose by majority vote to maintain websites or social media sites which represent the Local. The executive board shall appoint a person to oversee each website and social media site. The Executive Board shall maintain a record of all usernames and passwords of all internet sites representing Local 794, even when an appointee is placed to oversee such internet sites. The Executive Board shall ensure all material posted on above mentioned internet sites represents the Local

truthfully, positively, is not discriminatory towards any person(s). Any funds needed to maintain such internet sites shall be approved by majority vote of membership.

## ARTICLE 15

### Exemption from Dues

Section 15.1 Dues may be exempt for a member in good standing, upon written request to the executive board, stated their hardship reasons, and the length of exemption being requested with a concurrence of a majority of the executive board.

Section 15.2 Dues may be exempt for a member in good standing, upon written request to the executive board, stated their intent to transition to “retired active member” of Local 794.

“Retired active member” shall be a retired fire fighter from the NNFD, who attends twenty five percent (25%) of meetings during a calendar year.

## ARTICLE 16

### Shop Stewards

Section 16.1 Purpose –Shop Stewards shall be tasked to carry out the duties of the union within an operation. These duties shall include receiving grievances, distributing information, and recruiting and retention of members. Stewards shall ensure members have a trusted representative from their shift, or from special operations, to present their issues, concerns, and questions on their behalf at membership meetings and special meetings. The shop steward is also tasked with

ensuring information from the Executive Board is distributed across their shift or throughout special operations teams.

Section 16.2 Meetings- Shop Stewards shall meet at least once per quarter to address common issues among the shifts, and special operations, and to create solutions to such issues.

Shop Stewards shall also meet at the request of at least two stewards, or at the request of the Executive Board.

Stewards may attend Executive Board meetings when invited by the Executive Board or when a meeting with the Executive Board is requested by two or more stewards. Stewards may be present during votes made by the Executive Board at such meetings, however, committee members *shall not participate* in any of such votes.

Shop Stewards shall be allowed to participate in other committees and sub-committees.

Section 16.3 Selection of Shop Stewards - The membership shall elect four (4) Shop Stewards by majority vote at the January membership meeting of each year.

Shop Stewards shall serve one (1) year terms.

One Shop Steward shall be elected from each shift, with the fourth member being elected from Local members who are part of Special Operations. For the purpose of this section, Special Operations shall include the, technical rescue team members, bomb squad (EOD) members, hazmat team members, marine incident response team members, and fire marshal's office.

If a no member comes forward from a particular shift or from Special Operations seeking election as a steward, then the membership may choose a member from a different shift or from Special Operations to represent that particular shift or Special Operations.

If no member comes forward seeking election, the President may appoint a member or Executive Board member to represent the members of that particular shift or special operations.

## ARTICLE 17

### Rules of Order

1. No member shall be permitted in a meeting in an intoxicated state.
2. No member shall interrupt a debate except on a question of: point of personal privilege or point of information.
3. No member shall leave a meeting without obtaining permission from the chair.
4. The chair shall have power to declare Rules of Order to insure decorum and dignity of meetings.
5. Any member violating any of the Rules of Order shall be liable for a fine, providing two-thirds vote in favor by members present.

