



# LOUDOUN CAREER FIRE FIGHTERS ASSOCIATION LOCAL 3756

## BY-LAWS AND CONSTITUTION

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## **Article I Name, Title, and Mission**

Section 1 - This Association shall be known as the Loudoun Career Fire Fighters Association, Incorporated, and International Association of Fire Fighters Local 3756.

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

Section 3 - This Association, its officers, representatives and members shall recognize, observe and be bound by the provision of the Constitution and By-laws of the International and the interpretations rendered by the General President, the resolutions, decisions and directives of the Executive Board or officers of the International when made in conformity with the authority granted by the Constitution and By-laws of the International, and the resolutions adopted and policies established by the delegates at Conventions. Article 13 of the Constitution and By-laws of the International is recognized as providing the basic rules governing this Association, except that the Article of Incorporation of this Corporation and the laws of the Commonwealth of Virginia shall at all times control.

Section 4 - The Mission Statement of the Association shall be as follows:

“The Association is dedicated to provide superior fire and rescue service delivery and promote fire and life safety to the citizens and guests of Loudoun County. The Association will stand in solidarity to assure the safety, welfare, and equitable treatment of all members who professionally dedicate their lives to achievement of this mission. The Association will boldly strive to improve the quality of life for its members and the customers they serve.”

## **Article II Jurisdiction**

The Jurisdiction of the Association shall be as follows: All full time active and retired paid employees engaged in Fire/EMS service, training, communications, prevention, and/or code enforcement.

## Article III      *Membership*

Section 1 - The membership of the Association shall consist of active and retired full time paid employees of the Operations, Training, Communications, Program Services, Planning, and Fire Marshal's Division(s) of the Loudoun County Department of Fire, Rescue, and Emergency Management.

Section 2 - Every application for membership shall be in writing upon forms furnished for that purpose and signed by the applicant. Applications may be referred to the Executive Board for investigation if the Association membership so decides.

Section 3 - Applicants may be voted upon at any regularly scheduled membership or Board of Directors meeting.

Section 4 - "Voting" - Any person of good moral character who, at the time of giving application, is engaged in service within the jurisdiction of this Local, as given in Article II, will be eligible for voting membership. Anyone eligible for membership in this Local shall not be refused membership or, upon acceptance, be discriminated against because of race, color, gender, sexual orientation, creed, national origin, or by reason of disability. Active membership will be confined to personnel up to and including the rank of Captain.

Section 4A - Each voting member must relinquish all operational and/or administrative participation (excluding life membership) with any and all volunteer fire and/or rescue organizations in Loudoun County, to include representing such organizations on countywide committees, councils, workgroups, etc.

Section 5 - "Non-Voting" - Non-voting members are those members who, by virtue of rank, are unable to meet the requirements of voting membership. As a non-voting member, persons are entitled to any and all benefits afforded voting members. They do have voice in any Association business, but are not permitted a vote. By virtue of their membership, they are not entitled to hold office.

Section 6 - "Honorary" - For meritorious service to this Local or for distinguished public service, persons may be elected honorary members by majority vote. Honorary members shall not pay

initiation fees, dues or other charges and shall have no voice or vote in the Local. Such membership may be revoked for cause.

Section 7 - Maintenance of Good Standing - Membership in good standing includes any person who has fulfilled the requirements for membership in this Local and 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 8 - All members shall, at all times, conduct themselves in the highest ethical manner, demonstrating the professionalism and integrity that will promote pride in themselves, the Department, and this Local.

Section 9 - Separation - When any member in good standing is separated from the fire service, the Local may allow said member to retain membership or in lieu thereof, upon request of said member, shall issue a withdrawal card. This Local Union may issue withdrawal cards only to those members who leave the fire service or EMS in good standing or who are precluded by law or local ordinance or contractually from maintaining union membership by virtue of their fire department position. A former member holding a valid withdrawal card will not be charged a reinstatement fee upon reentry into any IAFF affiliate. A member who is duly elected as an officer of the International Association of Fire Fighters, or elected or appointed as a representative of or to an affiliated labor organization, shall retain his/her active membership in this Local.

Section 10 - Membership - Separation from Local with Retention in Service - When any member voluntarily drops his membership from the Local, but remains eligible for membership, that member shall not be eligible for reinstatement unless he/she, upon application of reinstatement pays all back dues to the time that he/she withdrew from the Local, plus the \$10.00 reinstatement fee.

Section 11 - Delinquent Members - Members who fail to pay their monthly dues or assessments by the fifteenth (15) day following the month such dues are payable shall be notified by the Treasurer that they are delinquent and will be automatically suspended and lose their good standing if payment is not made within sixty (60) days following such notification. Delinquent and suspended members are not entitled to voice or vote in the Local or in the affairs of the International.

Section 12 - Retired Members - When any member in good standing retires from the Loudoun County Department of Fire-Rescue, he/she may continue his/her membership in this Local. He/She may also continue any insurance policies and benefits that may be in effect. Retired members must pay their dues on a yearly basis, and shall have an equal voice and vote and are eligible to hold office. Members who have retired from this union or have otherwise withdrawn as members in good standing may be allowed to return to this Local Union within 90 days as active members.

## Article IV      *Meetings*

Section 1 - Regular meetings of this Association shall be held at an interval to be determined by the President with the time and place to be announced at least fifteen (15) days prior to the meeting. If the date of the meeting falls on a legal holiday, the meeting will be rescheduled at the discretion of the President.

Section 2 - Special meetings may be called by a vote of the majority of the Executive Board or by the President. All members in good standing shall be notified at least seven (7) days prior to the date of the meeting. The notice of special meeting must contain the issue(s) to be discussed. No one may bring up any new issues which were not mentioned in said notice.

Section 2A - Emergency meetings may be called by the majority of the Executive Board or by the President with notification of a majority of the membership.

Section 3 - Quorum - The quorum for any meeting of this Association; regular, special or emergency shall be 25 voting members in good standing, to include at least two (2) members of the Executive Board.

Section 4 - Rights of Members - Every member in good standing shall have the right to attend any meeting and to participate in such meeting in accordance with the recognized rules as set forth by these bylaws and in the manual of parliamentary procedure adopted by this Local. Members shall conduct themselves in such a manner as not to interfere with the legal or contractual obligations of the International or of this Local.

Section 5 - Rules of Meetings - The rules contained in *Robert's Rules of Order* shall govern the meetings of this Association in all cases not in conflict with the Constitution, By-laws, and resolutions of the Local, the International, or the Virginia Professional Fire Fighters (VPPF). Interpretations of these documents shall be the exclusive right of the President.

## **Article V *Officers and Elections***

Section 1 - The officers of this Association shall consist of a President, Vice-President, Secretary, Treasurer and seven at-large Directors. All officers shall hold office for two (2) years or until the installation of their successor, unless removed from office as provided in the Constitution, By-laws, and resolutions of the Local, the International, or the VPPF.

Section 1A - The President, Treasurer and four of the at-large Directors shall be elected in odd number years and the Vice President, Secretary and three at-large Directors shall be elected in even number years.

Section 2 - Eligibility for office - Any voting member with at least one (1) year active membership in the Association shall be allowed to be a candidate for office in this Association.

Section 2A - Candidates for office at their own expense may distribute campaign material to all members in good standing provided said material has been approved by the Executive Board.

Section 3 - Election of officers shall be conducted at a November general membership meeting. All members in good standing shall be given at least fifteen (15) days advance notice, in writing, of the date, time and place at which elections shall be held.

Section 3A - Each voting member in good standing shall be provided with a written ballot with the nominations for each office. Election to office is by majority vote of the ballots cast. In the event that no candidate receives a majority, run off elections will be held. Election of officers will be by secret ballots. All candidates for office shall have the right to name a witness to

observe the collection and tabulation of the ballots. However, said witness must be a member in good standing. 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.

Section 4 - Nominating Committee - The incumbent President shall appoint one Chairperson and two (2) members in good standing to the Nominating Committee at least forty-five (45) days prior to the November general membership meeting. The Nominating Committee shall be responsible for the solicitation, acceptance, and posting of all eligible nominations for all eligible offices.

Section 4A - Nominations from the floor will only be allowed at the general membership meeting prior to the meeting in which elections are to be held.

Section 5 - Absentee ballots shall be permitted, at the discretion of the Chairperson of the Nominating Committee.

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

Section 7 - Should any elected office become vacant due to death, resignation, incapacity or other cause, the Executive Board shall meet and elect by secret ballot no later than sixty (60) days from the date the office is vacated one of the voting members in good standing to fill the unexpired term of such office. All members in good standing shall have the opportunity to submit names for consideration by the Executive Board.

Section 7A - The President shall declare vacant the office of any officer of the Association who shall have been absent for three (3) consecutive meetings which they would be required to attend, either general membership, special, or Executive Board meeting, provided that it shall be the duty of the Secretary to ascertain the cause of any officer's absence from any meeting which he is required to attend, and so notify the President in order that he will be able to take appropriate action, and provide further that continuous duties or emergencies shall be the only valid excuses to prevent the office from being declared vacant. Provided also that a motion from

the floor to declare vacant any office herein referred to shall be in order. Appeals may be made to the Executive Board in writing.

Section 8 - Election by Acclamation - If the slate of candidates nominated for any election is unopposed, they will be declared winners by acclamation.

Section 9 - Write-in/Proxy Voting - Write-in/Proxy voting shall not be allowed.

Section 10 - Installation and Term of Office - Elected officers shall serve until the installation of their successors or unless relieved of their duties as provided in the Constitution and By-laws. All officers shall hold office for two (2) years or until the election and or installation of their successor, unless removed from office as provided in the Constitution, By-laws, and resolutions of the Local, the International, or the VPPF. An elected term of office will begin on the January 1 following the election, and end two years later at midnight of December 31.

## **Article VI      *Duties of Officers***

Section 1 - It shall be the duty of the President to preside at all meetings of the Association and Executive Board. He/she shall be the principal executive officer of the Association and shall generally control and supervise the business of the Association. He/she shall be a member ex-officio of all committees. He/she shall appoint such committees as may be provided for in this Constitution and By-laws and such special committees as he/she sees fit. He/she shall enforce strict observance of the Constitution, By-laws, and resolutions of the Local, the International, and the VPPF. The President shall delegate on behalf of the Association such duties as may be imposed upon him by applicable law including the execution and filing of reports to Federal or State authorities, and he/she shall cause to be maintained by the association such records as the law requires to be kept in support of reports filed. The President by virtue of his/her election shall be a delegate of this Association to the Convention of the International and the State.

The President shall be the only authorized agent of the Association to make statements to the press or any news agency in the name of the Association. He/she may authorize a member of the Executive Board to stand in for him/her on a case-by-case basis.

Section 2 - The Vice-President shall actively assist and support the President in his/her duties. In the absence of the President, the Vice-President shall assume all duties and responsibilities of that office. He/she shall assist the President in such a manner as determined by the President.

Section 3 - The Secretary shall have custody of all documents, records, books and papers belonging to the Association, except as may be provided by this Constitution and By-laws. He/she shall keep an accurate record of the meetings of the Association and the Executive Board, of which he/she shall be the Secretary. He/she may appoint a designee in the case of the Secretary's absence. He/she shall attest all official documents with his signature and the seal of the Association. He/she shall conduct the correspondence of the Association promptly. He/she shall maintain the official list of members in good standing, which shall be kept accurate and current. The Secretary shall discharge on behalf of the Association such duties as may be imposed upon him/her by applicable law including the execution and filing of any reports to the Federal or State authorities, and he/she shall cause to be maintained by the Association such record as the law requires to be kept in support of reports filed. The Secretary by virtue of his/her election shall be, along with the President, a delegate of this Association to the Convention of the International and State.

Section 4 - The Treasurer shall receive all money due the Association from whatsoever source, and shall disburse the same only by direction of the President, Vice-President, Secretary, or majority vote of the membership in good standing. Such disbursement shall be by credit card or check, which shall also be signed by the President or his/her designee. He/she shall maintain and keep current a record of members with their dues payments, assessments, and all financial transactions promptly and accurately entered. He/she shall be prepared to exhibit receipts and vouchers upon the audit of the books. He/she shall arrange for an annual audit of the Association books by a third party and forward same audit to the Association Secretary for submission to the International no later than June first of each year and shall include an accurate accounting of all employees within the Local Union's Fire Department.

Section 5 - The Executive Board shall consist of the President, Vice-President, Secretary, Treasurer and all elected at-large Director(s). It shall be the duty of the Executive Board to exercise general supervision and control of the Association. It shall have the authority to act in the name of the Association during intervals between meetings. It shall review the annual audit prior to submission to the International. It shall meet at the call of the President or on call signed by a majority of its members. A majority of 51% of the Executive Board shall constitute a quorum. The grievance committee shall be derived from the Executive Board and is appointed by the President.

Section 6 - All officers and employees of the Local who handle funds or property of the Local shall be bonded in such amounts as to cover at least ten (10) percent of the current liquid assets of the organization. The International shall cover the expense of the first \$5,000 of bond, and if additional bond is necessary, the Local shall pay the additional premium.

Section 7 - The Negotiating Committee, as selected by the President and approved by the Executive Board, shall negotiate all written contracts. Contracts must be ratified by the majority of voting members present at a regular or special meeting. All members must be notified of this meeting, and its purpose, fifteen (15) days in advance of the meeting date.

## **Article VII      *Delegates and Alternates to Conventions***

Section 1 - If, in accordance with Article 4, Section 2 of the International Constitution and By-laws, this Local is entitled to delegates in addition to the President and Secretary, they shall be elected by secret ballot from and by the voting members in good standing at a general membership meeting in the month(s) prior to the Conventions in the year in which the State and International Conventions are scheduled to be held.

Section 2 - Alternates to the Convention shall be those Association brothers/sisters receiving the next highest number of votes for delegates. The credentials of delegates and alternates must certify to this method of election.

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

Section 1 - Initiation fees shall be paid in the amount determined by a majority vote of the Executive Board and confirming vote of the general membership in good standing. This initiation fee shall pay for the first month's dues for a new member. A fee of ten dollars (\$10.00) is remitted to the International for each new member.

Section 2 - Monthly membership dues shall be that certified by the Treasurer of the Loudoun Career Fire Fighters Association. Monthly membership dues shall be in that amount determined by the majority vote of the Executive Board and confirming vote of the general membership in good standing. This amount shall be 1% of the base salary for an entry-level fire fighter position as determined by the County of Loudoun. Dues for retired members are determined per capita,

set by both the International Association of Fire Fighters and the Virginia Professional Fire Fighters.

Section 3 - All monthly dues shall be collected by payroll deduction where possible with the exception of retired members. Retired members shall pay their dues annually by check to the Treasurer of the Association.

Section 4 - Assessments may be made in the following manner: Each member in good standing shall be notified in writing at least thirty (30) days in advance of the date on which the vote for an assessment is to occur. The proposed assessment shall become effective upon a majority vote at a regular or special meeting.

Section 5 - Increases in rates of initiation fees, reinstatement fees, dues or assessments shall require notice of such proposed increase to be given to the members in good standing at least thirty (30) days in advance of the date on which the vote for such increase is to occur. The proposed increase shall become effective upon a majority vote at a regular or special meeting.

Section 6 - Reinstatement fees shall be ten dollars (\$10.00).

## **Article IX      *Misconduct, Trials and Appeals***

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

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

## **Article X Amendments**

Section 1 - This Constitution and By-laws made under its provisions, may be amended by a two-thirds vote at a regular or special meeting, provided that each member in good standing is notified in writing of the proposed amendment at least fifteen (15) days in advance of the meeting at which the vote will be taken.

Section 2 - A proposed amendment to this Constitution or any By-laws made under its provisions, shall be submitted for approval to the International General President prior to its printing, issuance, or effectiveness, after it has first been adopted by the membership.

## **Article XI Compensation**

Section 1 - Compensation Plan - No officers or members shall receive a per annum for their services to the Association.

Section 2 - Any expense incurred by an individual performing any real and true duty for the Association may be eligible for reimbursement by the Association upon submission of receipt of expenses. The Executive Board or the President will have exclusive authority to make this decision.

Section 3 - The use of Association funds to promote a member's candidacy for any International, Federal, State, or Local office in either the private sector or the government is strictly prohibited.

## **Article XII Shop Stewards**

Section 1 - The President may appoint a Shop Steward for a work location, due to its configuration and number of employees.

Section 1A - All appointments will be valid for one (1) year, and subject to review for consideration of continuation or re-appointment.

Section 2 - While Shop Stewards are not considered officers of the Association; they are encouraged to attend any and all meetings for the purpose of conducting Association business.