

City of Fairfax Professional Fire Fighters and Paramedics Association

**International Association of Fire
Fighters
Local 2702**

City of Fairfax, Virginia

Constitution and By-Laws

This Constitution and Bylaws was approved by the membership before its submission to the IAFF, as required by Article XIII of the IAFF Constitution.

April 6, 2010

(Date of Membership Approval)

**_____
(Authorized Local Officer)**

April 2010

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PREAMBLE

In the belief that in union there is strength, this Union of uniformed fire fighters and paramedics was formed. We are dedicated to the proposition we can best express our beliefs and achieve the rewards of our labors through action, which is concerted and concerned. We further stipulate this Union shall also have as its objective the upgrading of the image of the fire fighter and paramedic, the establishment of rapport among its members, the improvement of its members in all phases of their vocation and the persistent prosecution of the case for the fire fighter and paramedic. Having formed a union, it is necessary to establish rules by which we can govern ourselves in an orderly and efficient manner. To that end, this Constitution and By-Laws is established.

EEO POLICY STATEMENT

The IAFF and the City of Fairfax Professional Fire Fighters and Paramedics-Local 2702, stand unequivocally opposed to discrimination. This includes harassment because of race, gender, sexual orientation, ethnic background, religious beliefs or handicap. The IAFF and its affiliate Local 2702 believe discrimination can best be stopped in both its open and hidden forms by encouraging all people to live by the principle that every person is entitled to the same basic rights regardless of race, color, creed, national origin, gender, sexual orientation or handicap. Furthermore, all individuals, whether they be members or not, are entitled to full equality under the law.

The IAFF and Local 2702 firmly believe it cannot operate effectively as an organization unless it commits itself to eliminating the practice of discrimination and harassment in the fire service. It is a commitment of Local 2702, its officers, directors, and each of us as firefighters, paramedics and emergency medical technicians to ensure all brother and sister members receive fair and equitable treatment while performing their jobs.

ARTICLE 1

NAME

Section 1: Local Name and Number.

The name and number of this organization shall be *City of Fairfax Professional Fire Fighters and Paramedics Association-Local 2702 of the International Association of Fire Fighters*.

Section 2: Definitions.

References in this Constitution and By-Laws to "local" or "local Union" shall refer to the City of Fairfax Professional Fire Fighters and Paramedics Association-Local 2702 as set forth in Article 1, Section 1, and reference to "Association" or "International" shall refer to the International Association of Fire Fighters.

Section 3: Compliance.

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 and the interpretations rendered by the International's General President, the resolutions, and decisions and directives of the Executive Board of officers of the Association, 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 XIII of the Constitution and By-Laws of the International is recognized as providing the basic rules governing this Local.

ARTICLE 2

JURISDICTION

Jurisdiction shall be as follows; all full-time, paid employees of the City of Fairfax Fire Department engaged in fire fighting, emergency medical or rescue service activities, fire prevention or other related support services at or below the rank of Battalion Chief.

ARTICLE 3

MEMBERSHIP

Section 1: Active.

Any person of good moral character who at the time of making application is engaged in service within the jurisdiction of this Local, as set forth in Article 2, 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, sexual orientation, or by reason of disability.

Section 2: Retiree.

Members, who have retired from the Local or otherwise withdrawn from the Local as members in good standing, may be allowed to return at the Local's choosing for eligibility as active-retiree membership. Active-retirees shall be assessed dues at a rate of one half the active membership dues which shall be paid on a monthly or annual basis. Active-retirees shall have an equal voice, vote and are eligible to hold office.

The Executive Board shall have the discretion to waive the dues of any active-retiree who continues to make regular or significant contributions to the Local. The Executive Board shall annually review the status of all active-retirees to reaffirm their membership and activity, as well as, ensure the collection of assessed dues.

Section 3: Honorary.

For meritorious service to this Local, or for distinguished public service, persons may be elected an honorary member by a majority vote at a general membership meeting. Honorary members shall not pay initiation fees, dues or other charges and shall have no voice, vote, or benefits from the Local. Such membership may be revoked for just cause by a majority vote at a general membership meeting.

Section 4: Emeritus Membership.

Emeritus membership is established for past Presidents and Secretary/Treasurers of the Local as chosen by a two-thirds vote of the membership. Nominations and voting for Emeritus Membership shall be done as prescribed in Article 5, Section 6 of this Constitution and By-Laws. The position shall carry with it ex-officio lifetime membership with the Local. The duties of office are of an advisory position to the Local and its committees as may be needed.

Emeritus membership shall not pay initiation fees, dues or other charges and shall have no voice, vote, or benefits from the Local. Such membership may be revoked for just cause by a two-thirds vote of the membership.

Section 5: 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 or the Constitution and By-Laws of this Local.

Section 6: Separation.

When any member in good standing becomes separated from the City of Fairfax Fire Department, the Local Union may allow said member to retain their active membership or in lieu thereof, upon request of said member, shall issue a withdrawal card. The 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.

If said member is duly elected as an officer of the International or elected or appointed as a representative of or to an affiliated labor organization, said member shall retain their active membership in the Local.

A former member holding a valid withdrawal card will not be charged a reinstatement fee upon reentry into the organization.

An active member of the Local who is inducted into or activated with the armed forces of the United States or Canada may continue to be carried as an active member with the payment of dues, assessments or other union charges waived until such member is relieved from active duty with the armed forces.

Any active member in good standing who is separated from employment due to layoff may continue to be carried as an active member while remaining on a preferred rehiring list. Payment of such member's per capita shall be waived and they shall enjoy all rights of active membership except the right to vote in the Local Union.

Section 7: Delinquent Members.

Members who fail to pay their dues or assessments within the periods prescribed in Article 8 of this Constitution and By-Laws will be considered delinquent and subject to automatic suspension from membership if dues and assessments are not paid within sixty days of notification by the Secretary/Treasurer. Members who are delinquent, under suspension, or otherwise not in good standing are not entitled to any voice or vote in meetings of either the Local or International.

ARTICLE 4

MEETINGS

Section 1: Time and Place

Regular Membership meetings of the Local shall be held quarterly in March, June, September and December during the second week of the month at 0730 hours at a location in the City of Fairfax, Virginia determined by the President. The President may add additional meetings at their discretion. All regular meeting dates, times and locations shall be posted by January 1.

Section 2: Special meetings.

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 considered at such meeting and no other business than that stated shall be conducted at such meeting.

Section 3: Quorum.

The Quorum of any meeting of this Local, either regular or special, shall be one quarter of all members in good standing, provided that at least one member of the Executive Board is present at said meeting. A majority of such members present and voting shall legalize action on all questions except as may otherwise be expressly provided in the Constitution and By-Laws.

Section 4: Rights of Members.

Every member in good standing shall have the right to attend any regular or special meeting and to participate in such meeting 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 a manner as not to interfere with the legal or contractual obligations of the International or of this Local.

Section 5: Rules for Meetings

The rules contained in the 10th Edition of Robert's Rules of Order shall govern the meetings of this Local in all cases not in conflict with this Constitution and By-Laws, or the Constitution and By-Laws of the International, or interpretations of these documents. A copy of Robert's Rules of Order shall be given to each member of the Executive Board and shall be available at all meetings for reference.

ARTICLE 5

OFFICERS AND THEIR DUTIES

Section 1: Number and Titles.

The officers of this Local shall consist of a President, Vice President, Secretary/Treasurer, four shift representatives and two at large members. Each officer shall hold office for two years and until the election and installation of their successors unless removed from office as provided in the Constitution and By-Laws of the International or this Constitution and By-Laws.

The President, Vice-President and Secretary/Treasurer shall be considered the principal officers and they shall be elected in even numbered years and shall serve for two-year terms. The four shift representatives and the two at large members shall be elected in odd numbered years and shall serve for two-year terms.

Section 2: Local Executive Board.

The Local Executive Board shall consist of the elected officers outlined in Article 5, Section 1 and the immediate past President and Secretary/Treasurer as ex-officio members, serving in terms not to exceed two years.

It shall be the duty of the Local 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 the membership at the next general membership of the Local.

It shall provide for an audit of the Treasurer's books in compliance with IAFF, state, and federal regulations. It shall meet at the call of the President or a call signed by a majority of its members.

If any Executive Board member or officer of this Local misses three Executive Board meetings (deemed unexcused by the board) in any fiscal year, unless they are required to work for the Fire Department at the time of the meeting, they shall automatically be relieved of that position. That position shall be filled in accordance with the By-Laws.

Five members of the Executive Board shall constitute a quorum. A majority of such Executive Board members present and voting shall legalize action on all questions except as may otherwise be expressly provided in the Constitution and By-Laws.

Section 3: Local President.

It shall be the duty of the President to preside at all meetings of the Local and at meetings of the Executive Board. They shall be the executive head of the Local. They shall be a member ex-officio of all committees. They shall appoint such committees as may be provided for in this Constitution and By-Laws; and such special committees as may be authorized by the Local. The list of standing committees and members assigned will be posted January 1 and updated as changes occur. They shall have the general supervision of the activities of the other officers and chairpersons of committees. Together with the Secretary-Treasurer they 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 and shall have the final authority, subject only to appeal to the International pursuant to Article XVIII of the IAFF Constitution and Bylaws, to decide questions of parliamentary rules and questions involving interpretation of this Constitution and By-Laws.

The President shall be responsible for submitting a budget to the Executive Board. The Executive Board shall approve the budget by December 1 for the upcoming fiscal year. The President shall then present the approved budget to the membership at the December meeting.

The President shall discharge on behalf of the Local such duties as may be imposed upon them by applicable law including the execution and filling of any reports to Federal or State authorities, and shall cause the Local to maintain such records as the law requires them to be kept, in support of reports it files.

The President, by virtue of his election, shall be the delegate of this Local to the conventions of the State Fire Fighters Association and International.

The President shall receive a salary of fifty dollars per month.

Section 4: Local 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 at meetings of the Local and of the Executive Board. By virtue of their election the Vice-President shall be the primary delegate of this Local to the Conventions of the State and International in the absence of the President. The Vice-President shall be responsible for recruitment of new employees into the Local. This responsibility also includes providing new employees with an informational package containing guidance on benefits, Line of Duty Deaths, etc. If the office of President becomes vacant, the Vice-President shall be acting President until the office of President is filled.

Section 5: Local Secretary/Treasurer.

The Secretary/Treasurer 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. They shall keep an accurate record of the meetings of the Local and of the Executive Board, of which they shall be the Secretary/Treasurer. They shall post draft meeting minutes in the work place within one week of the meeting and the approved minutes to the website within twenty-four hours of approval.

They shall attest to all official documents with their signature and the seal of the Local promptly. They shall conduct the correspondence of the local promptly. They shall maintain the official list of members in good standing, which shall be kept accurate and current.

They 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 and State authorities, and shall cause to be maintained by the Local such reports, as the law requires to be kept in support of the reports filed by it.

They shall receive all money due the Local, from whatsoever the source, and shall disburse the same on authorized Local expenses. Such disbursements shall be made by check or credit card when practical.

Members who make authorized purchases for the Local shall receive a check refund when the proper receipt is submitted to the Secretary/Treasurer. 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, ledgers, and check statements with canceled checks upon the audit of the books. They shall remain in compliance with guidelines set forth by the International Secretary/Treasurer. They shall forward the annual audit of the Local to the International General Secretary/Treasurer, over the seal of the Local, not later than June first of each year.

In the absence of the President and the Vice-President, the Secretary/Treasurer shall preside at meetings of the Local and of the Executive Board. By virtue of their election the Secretary/Treasurer shall be the primary delegate of this Local to the Conventions of the State and International in the absence of the President and Vice-President.

The Secretary/Treasurer shall receive a salary of fifty dollars per month.

Section 7: At Large Members.

The At Large Members, also known as Trustees, serve as members of the Executive Board, and carry out duties as assigned by the President. Each At Large Member shall be familiar with Robert's Rules of Order and will assist the President as needed in presiding over membership or executive board meetings. The At Large Members shall be responsible for assisting the Secretary/Treasurer with a proper audit of financial records in accordance with IAFF guidelines and applicable laws.

Section 8: Shift Representative.

The four Shift Representatives (“A” Shift, “B” Shift, “C” Shift and “D” Shift) shall provide a communications link to their individual shift of the Local's business. The “D” Shift Representative will have the responsibility to serve as a communication link to the day work, retired and light duty members. They will also serve as members of the Executive Board and carry out other duties as assigned by the President.

Section 9: Secretary-Treasurer Emeritus.

The position of Secretary/Treasurer Emeritus is hereby established and will be occupied by Keith Cunningham effective February 2007. This position shall carry with it ex-officio lifetime membership in the City of Fairfax Fire Fighters and Paramedics Association–Local 2702. This position shall also carry with it the duty of the Secretary/Treasurer Emeritus to advise and consult with the Local President and/or the Executive Board upon request when such service is desired in the best interest of the Local.

Section 10: Bonding of Officers

All officers and employees of the Local who handle funds or property of the Local shall be bonded in such amounts as may be required by the Executive Board and the International Secretary/Treasurer, in compliance with applicable law. The expense of the first \$2,500.00 of Bond shall be borne by the International and additional bonding premiums for \$100,000.00 of bonding shall be paid by the Local.

Section 11: Acting Promotions

If during an elected officers term they are assigned to an acting position at the rank of Battalion Chief or higher they will temporarily be removed from the Executive Board and their responsibilities distributed by the President to other members of the Executive Board. If the officer is ultimately promoted the vacancy will be filled by the rules outlined in Article 6, Section 8.

ARTICLE 6

ELECTION PROCESS

Section 1: Eligibility for Office.

Any active member in good standing holding the rank of Captain or below, or any active-retiree in good standing shall be eligible to be a candidate for office in this Local.

Section 2: 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 list.

Section 3: 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 the 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 4: Election Committee.

The President shall appoint an Election Committee consisting of four members to include one from each shift during the new business section of the September General Membership Meeting. The Election Committee shall serve be responsible for collecting nominations, confirming nominees are willing to run, posting of the ballot for preview by November 1, distributing ballots and tabulating the results. Each candidate for office shall be entitled to appoint one observer who shall be permitted to observe the Election Committee when the votes are tabulated.

Section 5: Method of Nomination.

Each member in good standing shall be given at least fifteen days advance notice, in writing, sent by email to their on-file email address; or if no email address is on file, then sent by mail to the last known address of the member indicating the date, time and place at which the nominations shall be made. Any member in good standing may nominate eligible members for office. Members can be nominated for multiple positions. Nominations shall be accepted at the September General Membership Meeting by the Election Committee, as well as, in writing to the Election Committee through October 14 of the election year.

Section 6: Election Process.

Each member in good standing shall be given at least fifteen days advance notice, in writing, sent to their on-file email address; or if no email address is on file, then sent by mail to their last known address indicating the date, time and place at which elections shall be held. Elections shall be by secret paper ballot distributed by the Election Committee from November 7 through November 28, of the election year; write-in voting shall be permitted. There shall be no voting by proxy in the election of Local officers.

The Election Committee shall tabulate and present the results of the election to the membership at the December meeting of the election year. The slate of officers shall then be approved by the membership. The candidate receiving a majority of the ballots cast shall be declared elected. If a candidate is elected to more than one position the Election Committee shall contact the candidate to determine which position they will accept. The Election Committee will then continue the election process to fill the other positions from the remaining candidate pool.

In the case of all officers, a majority of all valid votes cast shall be necessary for election. If three candidates are nominated for the same office, none of who receives a majority of the votes on the first ballot, a runoff election will be held between the two candidates having the highest vote. If more than three candidates are nominated for the same office, none of who receives a majority of the votes on the first ballot, a runoff

election will be held among the three candidates having the highest vote. If no candidate receives a majority of the vote in the runoff, then a second runoff election will be held between the two candidates having the highest vote.

In this event of a runoff election the results of the election may extend beyond the December 1 deadline, but should not extend past the December General Membership Meeting to ensure the timely installation of new officers. 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 7: Ballots Preserved.

The Secretary shall preserve the ballots and all other records of an election, to include the written nominations and acceptance letters, for one year following such election.

Section 8: Vacancies of Office.

When the office of the President, Vice-President, Secretary/Treasurer becomes vacant by reasons of death, resignation or removal of the incumbent, the Executive Board shall elect an acting successor by majority vote, no later than thirty days from the day the office is vacated, and a special election shall be held within sixty days of the vacancy to permanently fill the position. Any other Executive Board vacancies will be filled at the next General Membership Meeting after a vacancy occurs.

If a permanent shift transfer occurs, the affected member of the Executive Board shall finish their term of office and share their responsibilities with an Executive Board member, or a designee, assigned to the affected shift.

Section 10: Installation.

The elected officers shall be installed by the International District Vice-President or his/her designee at the December membership meeting at which time they shall assume the duties of their respective offices.

ARTICLE 7

DELEGATES AND ALTERNATES TO INTERNATIONAL AND STATE CONVENTIONS

Section 1: Delegates to International Conventions.

If, in accordance with Article IV, 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 at the General Membership Meeting prior to the convention in the year the International Conventions are scheduled to be held. The credentials of the delegates, as prescribed by the International, shall be certified by this method of election.

Section 2: Delegates to State Conventions.

If, in accordance to the Constitution and By-Laws of the State Association, this local is entitled to Delegates in addition to the President, they shall be elected by secret ballot of the members in good standing at the General Membership Meeting prior to the convention in the year in which the State Conventions are scheduled to be held. The credentials of the delegates, as prescribed by the State Association, shall be certified by this method of election.

Section 3: Alternates.

Alternates to conventions shall be elected by secret ballot of the members in good standing at the General Membership Meeting prior to the convention in the year in which the conventions are scheduled to be held. The credentials of the alternates, as prescribed by the International and State Association, shall be certified by this method of election.

Section 4: Convention votes by proxy

When it is necessary for this Local to send its Convention votes by proxy, the Executive Board of the Local shall decide who carries the proxy.

ARTICLE 8

INITIATION FEES, DUES AND ASSESSMENTS

Section 1: Fiscal Year.

The fiscal year of this Local shall follow the calendar year of January 1 to December 31.

Section 2: Initiation Fees.

Initiation fee to the International is ten dollars and shall be paid by the Local on behalf of the new member. If a member decides to join the Local greater than six months from the date of the Local's official recruit presentation there shall be a ten dollar initiation fee plus a penalty fee equal to the amount of dues the member would have been liable for since the time they were eligible to join.

Section 3: Dues.

Dues shall be one and one half percent of a fire fighter's base salary, rounded to the nearest dollar. The dues percentage shall be reassessed on even years the month after the adoption of the budget. This amount shall be divided into 26 installments to be deducted from a Fairfax City Federal Credit Union Account to be established upon membership to the Local. This is the only acceptable method of payment for active members. Retired-active members shall make semi-annually payments for one half their annual dues to the Secretary/Treasurer by January 1 and June 1.

Section 4: Assessments.

Assessments may be made only in the following manner: each member in good standing shall be notified in writing at least thirty days in advance of the date on which the vote for 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 5: Increase in Rate.

Increases in rates of initiation fees, reinstatement fees, or dues 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 formal vote for such increase is to occur. The proposed increase shall become effective upon a majority vote of the members in good standing, by secret ballot, at the announced meeting.

Section 6: Reinstatement Fees.

Reinstatement fees shall be twenty-five dollars, plus all back dues and assessments. Ten dollars of this amount shall be submitted to the IAFF. When a member drops their membership from the Local and remains in the Department, with the exception of promotion outside the unit, they shall be required to pay back all dues to the time of their withdrawal plus a \$10.00 reinstatement fee in order to be reinstated as a member in good standing.

ARTICLE 9

AUDITS

The books and accounts of this Local shall be audited annually and this audit shall be forwarded to the International's General Secretary/Treasurer over the seal of the Local within one hundred eighty days of the end of the fiscal year, and shall include accurate accounting of all employees with the Local Union's Fire Department.

ARTICLE 10

MISCONDUCT, TRIALS, AND APPEALS

Section 1: Misconduct and Trials.

Any member charged with misconduct as defined in Article XV of the International's Constitution and By-Laws shall be served with written specific charges as required by Article XVI of the International Constitution and By-Laws and be given a reasonable time to prepare their defense and afforded a hearing as provided in Article XVII of the International Constitution and By-Laws.

Section 2: Appeals.

Appeals may be made in accordance with Article XVIII of the International's Constitution and By-Laws. Such appeal must be filed with the International General President of the Association within thirty days of the action to be appealed.

ARTICLE 11

AMENDMENTS

Section 1: Proposed Amendments.

This Constitution and By-Laws made under its provisions may be amended by a two-thirds of the total voting membership (except for changes in dues and assessments, and initiation and reinstatement fees, which shall require a majority vote, as provided in Article 8) at a regular meeting, provided that each member in good standing is notified in writing of the proposed amendment at least fifteen days in advance of the meeting at which the vote will be taken.

Section 2: Adopted Amendments.

A proposed amendment to this Constitution, or any By-Laws made under its provision, shall be submitted for approval to the International's General President prior to its printing, or issuance, after it has first been adopted by the membership.

Section 3: Approval by Membership.

All changes to the Constitution and By-Laws must be approved by the local's membership. Indication of the approval shall either be made in a letter or on the cover page of the document prior to submission to the IAFF General President.