



Official Constitution and Bylaws

Botetourt County Professional Firefighters
and Paramedics, Local 4762

BCPFFP: PO Box 136 Daleville, VA 24083

ARTICLE 1

NAME

Section 1: *Local Name and Number*

The organization shall be known as the Botetourt County Professional Firefighters and Paramedics Association.

Section 2: *Definitions*

References in this Constitution and By-laws to “Local” or “Local Union” shall hereby refer to the Local set forth in Section 1 above, and references to “Association” or “International” shall refer to the International Association of Fire Fighters, AFL-CIO. Lastly, wherever the term “member” is used in these writings, it shall refer to an active member only.

Section 3: *Compliance*

This Local Union, it’s 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 Association, and the resolutions adopted and policies established by the delegates at conventions.

Article 13 of the Constitution and By-laws of the Association is recognized as provided the basic rules governing the local.

ARTICLE 2

JURISDICTION

“Jurisdiction shall be as follows: All full-time, paid employees engaged in fire fighting, emergency medical or rescue service activities, or related services.”

ARTICLE 3

MEMBERSHIP

There will be three(3) categories of active members: Active, honorary, and active-retired.

Section 1: *Active Membership*

Membership is open to anyone holding the rank of Captain or below and/or is not currently holding an administrative position within the

jurisdiction of this Local, as given in Article 2. Applicant must be of good moral character at the time of making application to aforementioned organization.

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.

Section 2: *Honorary*

For meritorious service to the 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 3: *Active-Retired*

Members who have retired from this Local or have otherwise withdrawn as members in good standing may be allowed to return to this Local within 12 months as active-retired members. Active-retired members may vote and may hold office within the Local. Members in this category will also be required to pay one half dues set forth by Local officers.

Section 4: *Maintenance of Good Standing*

Membership in good standing includes and person who has fulfilled the requirements for the 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 5: *Separation*

When any member in good standing is separated from the fire service, the Local Union may allow said member to retain active membership or in lieu thereof, upon request of said member, shall issue a withdrawal card. The 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. A former member holding a valid withdrawal card will not be charged a reinstatement fee upon reentry into the organization. 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 6: *Delinquent Members*

Members who fail to pay their monthly dues or assessments by the fifteenth day following the month such dues are payable shall be notified by the Local officer whose duty it is, 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 a voice or to vote in the Local or in the affairs of the International.

Section 7: *Volunteerism*

It is to be deemed the decision of the Local officers as to whether or not an active member of this Local shall be allowed to volunteer in the County of Botetourt as a fire/EMS member.

ARTICLE 4

MEETINGS

Section 1: *Time and Place*

Regular meetings of the local shall be held on the 1st Tuesday of each month at 7:00 PM. In the event of scheduling conflicts, the officers shall decide an additional time and date as needed and notify the members of such a decision with seven days notice.

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 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 in the notice shall be in order at such meeting.

Section 3: *Quorum*

The quorum for any meeting of this Local, either regular or special, shall be $\frac{3}{4}$ of the members in good standing.

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 set forth in the manual of parliamentary procedure adopted by this Local. Members shall conduct themselves in such a manner as to not interfere with the legal or contractual obligations of the International or this Local.

Section 5: *Rules for Meetings*

The rules contained in "Roberts 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.

Article 5

Officers and Elections

Section 1: *Number and Titles*

The officers of this Local shall consist of a president, secretary/treasurer, and three members of the Executive Board, who 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 offices of Secretary and Treasurer may be held by the same individual.

Section 2: *Eligibility for Office*

Any member who holds the rank of Captain or below in the jurisdiction covered by this Local, and in good standing shall be eligible for officer in this Local.

Section 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 E-board. There shall be no discrimination in favor of or against a candidate with regard to the use of membership lists.

Section 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 5: *Method of Nomination and Election*

Each member in good standing shall be given at least fifteen days advance notice, in writing, of the date, time and place at which nominations shall be made, and at least fifteen days advance notice, in writing, send by mail to the last known address of the member, of the date, time and place at which elections shall be held. Any member in good standing may nominate eligible members for office.

Elections shall be by secret ballot; write-in voting shall not be permitted. If there is only one candidate for office, such candidate shall be declared elected. There shall be no voting by raise of hand or absentee ballot. The candidate receiving a majority of the ballots shall be declared elected. If no candidate receives a majority of the ballots cast, there shall be a run-off election between the two candidates who received the most votes. 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 6: *Elections Committee*

The President shall appoint an Elections Committee which shall be responsible for distributing and tabulating the ballots. 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 7: *Ballots Preserved*

The ballots and all other records of an election shall be preserved by the Secretary for one year following such election.

Section 8: *Vacancies for Office*

When an office becomes vacant by reasons of death, resignation, or removal of the incumbent, the E-board shall elect a successor by majority vote, no later than thirty days from the date the office is vacated.

ARTICLE 6

Duties of Officers

Section 1: *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. He/she shall be the executive head of the Local. 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 may be authorized by the Local. Together with the Treasurer, he/she shall sign all orders and checks lawfully and properly drawn. He/she 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 internal appeal to the International pursuant to Article XVIII of the IAFF Constitution and By-laws, to decide questions and parliamentary rules and questions involving interpretation of this Constitution and By-laws. He/she shall have general supervision of the activities of the other officers and the chair committees.

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

The President, by virtue of his/her election, shall be a delegate of this Local to the convention of the International.

Section 2: *Local Secretary*

The Secretary shall record and preserve accurate records of the Local meetings; shall maintain a current roll of members; shall receive and

acknowledge all communications of the Local and shall perform other duties as assigned by the President; shall keep accurate and timely records.

Section 3: *Local Treasurer*

The Treasurer shall receive all monies 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. 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 his/her books. He/she shall forward the annual audit of the Local to the International General Secretary/Treasurer, over the seal of this Local.

Section 4: *Local Executive Board*

The Local Executive Board shall consist of the President, Secretary/Treasurer, and member who are elected at the annual meeting. 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 the membership at the next regular meeting of the Local. It shall provide for an audit of the Treasurer's books. It shall meet at the call of

the President or on call signed by a majority of its members. A majority shall constitute a quorum.

Section 5: *Bonding*

All officers and employees of the Local that handle funds or property of the Local shall be bonded in such amounts as may be required by the Local and the International General Secretary/Treasurer, in compliance with applicable law. The expense of the first \$2500.00 of bond shall be borne by the International. If additional bond is necessary, the Local shall pay the additional premium.

ARTICLE 7

Delegates and Alternates to International Conventions

Section 1: *Delegates*

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.

Section 2: *Alternates*

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

ARTICLE 8

Initiation Fees, Dues and Assessments

Section 1: *Initiation Fees*

Initiation fees shall be paid in the amount of \$10.00. Ten(10) dollars of this amount shall be submitted to the IAFF.

Section 2: *Dues*

Dues shall be 1% of the lowest initial pay grade each month.

Section 3: *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 majority vote of the members in good standing, by secret ballot at a general or special meeting.

Section 4: *Increases in Rates*

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 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 a general or special meeting.

Section 5: *Reinstatement Fees*

Reinstatement fees shall be \$20.00, plus all back dues and assessments. Ten (10) dollars of this amount shall be submitted to the IAFF.

ARTICLE 9

Misconduct, Trials, and Appeals

Section 1: *Misconduct and Trials*

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 in Article XVI of the Association Constitution and be given a reasonable time to prepare his or her defense and afford a hearing as provided in Article XVII of the Association Constitution.

Section 2: *Appeal*

Appeals may be made in accordance with the Article XVIII of the International Constitution and By-laws, such appeal must be filed with the General President of the Association within 30 days of the action to be appealed.

ARTICLE 10

Audit

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

ARTICLE 11

Amendments

Section 1: *Proposed Amendments*

This Constitution and By-laws made under its provisions may be amended by a two-thirds vote (except for changes in dues and assessments, and initiation and reinstatement fees, which shall require a majority vote) 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.

ARTICLE 12

Committees

Section 1: *Committees*

Committees shall be appointed by the President and shall remain in effect at the pleasure of the President. The President serves as the Chairman of all the Local committees. No member shall serve on more than two committees at the same time.

ARTICLE 13

Order of Business

The order of business at all meetings, with the exception of special meetings, shall be as follows:

1. Call to order
2. Reading of the minutes
3. Treasurers report
4. Membership status
5. Committee reports
6. Unfinished business

7. New business
8. For the good of the Local
9. Announce time and place of next meeting
10. Adjournment

ARTICLE 14

Policies

Section 1: *Termination Account*

All members shall turn in to the Treasurer within ten days of the termination of the event or transaction, all receipts, bills or cash intended for the Local. These receipts, bills or cash will be supported and explained in full and comprehensible writing.

Section 2: *Dues Application*

After payment of IAFF and VPF dues, all leftover monies will be deposited into the operation account of the Local.

Section 3: *Transaction Limit*

The President may authorize up to but not to exceed \$250.00 dollars without the approval of the membership on emergency expenses or for general purchases. For any amount over the aforementioned, a

majority vote by all members in good standing shall proceed such a transaction.