



INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS

HAROLD A. SCHAITBERGER
General President

THOMAS H. MILLER
General Secretary-Treasurer

DOCUMENT

June 10, 2014

Mark J. Staffa, President
Shenandoah County Career Fire Fighters Association
IAFF Local 4783
P.O. Box 143
Woodstock, VA 22664-0143

Dear Brother Staffa:

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 3, Section 4: This section has been amended to include a provision stating that “[i]n order to be in good standing a member must attend 3 meetings per calendar year with no more than two (2) excused absences.” I am not approving this language. While attendance at meetings should be encouraged, please consider an incentive-based system to boost member involvement with the Local, such as a minor reduction in dues for those members that attend a certain number of meetings. This provision as written would require the Local in each instance to serve local members with formal written charges in accordance with Article XIII, Section 20 of the IAFF’s Constitution and By-Laws in order to remove them from good standing with the Local.

Article 5, Section 5, Paragraph 2: The last sentence of the second paragraph states that “[t]he President or presiding officer will only vote in the event of a tie.” An essential factor in secret ballot voting is that a person’s vote is known only to the person casting the vote. If the President or presiding officer votes to break a tie in officer elections, then his/her vote would be known to all the members and, therefore not secret. In addition, this provision contradicts the tie breaking procedure where ties are resolved by the drawing of lots by the two candidates who tied. The last sentence of this paragraph should, therefore, be deleted.

Article 6, Section 4: This section appears to be missing some language. Please replace it with the following: “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 over the seal of the Local.”

Mark J. Staffa, President, IAFF Local 4783
June 10, 2014
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Article 6, Section 6: It appears that the last sentence of this section has been inadvertently combined with another provision. Please delete the last sentence and replace it with the following: "If additional bond is necessary, the Local shall pay the additional premium. The Local shall have sufficient bond to cover at least ten percent (10%) of its current liquid assets."

Article 8, Section 1: So that this section fully complies with the IAFF Constitution and By-Laws, Article VIII, Section 3 and Article XIII, Section 4, please revise it so that it reads as follows: "Initiation fees shall be paid in the amount of \$10.00. This amount shall be submitted to the IAFF."

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, flowing style.

Harold A. Schaitberger
General President

Enclosure

HAS/BR:rpd

Cc: William V. Taylor, Vice President, IAFF District 4

From: Mark Staffa

Sent: Tuesday, April 01, 2014 8:59 AM

Subject: L4783 Shenandoah County VA BY-LAWS

Here is the current copy of our BY-Laws which were adopted by membership on 2/21/14. If you need a paper copy mailed please let me know I can send that right in. These do need to be approved by the IAFF. Our last By-Laws were rejected due to a couple issues and hopefully fixed correctly this time. Please let me know as soon as these are approved so I know we can move forward

LOCAL 4783
SHENANDOAH COUNTY FIREFIGHTERS ASSOCIATION
P.O. BOX 143
WOODSTOCK, VA 22664

CONSTITUTION
AND BY-LAWS

THIS CONSITUTION AND BY-LAWS WAS APPROVED BY THE MEMBERSHIP BEFORE
ITS SUBMISSION TO THE IAFF AS REQUIRED BY ARTICLE XIII OF THE IAFF CONSTITUTION

2/21/2014

(Date of Membership approval)

Mark J. Staffa, President

(Authorized Local Officer)

International Association of Fire Fighters
AFL-CIO, CLC
APPROVED



IAFF, General President 6/10/2014 Date

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ARTICLE 1

NAME

Section 1. Local Number and Name

The number and name of the organization shall be:

Local number 4783 Shenandoah County Career Fire Fighters Association

Section 2. Definition

References in this Constitution and By-Laws to “Local” or “Local Union” shall refer to the Local as set forth in Section 1 above, and references 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 General President, the resolutions, decisions and directives of the Executive Board or 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 t conventions. Article XIII of the Constitution and By-Laws of the Association is recognized as providing the basic rules governing the Local.

ARTICLE 2

JURISDICTION

Jurisdiction shall be as follows: All full-time, paid employees engaging in firefighting, emergency medical or rescue service activities, or related services.

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 given in Article 2, is eligible for active membership

Anyone eligible for active 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. Honorary

For meritorious service to the Local or for distinguished public service, persons may be elected honorary members by majority vote. Honorary members shall 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. Retiree

Members who have retired from this Local or who have otherwise withdrawn as members in good standing may be allowed to return to this Local thirty (30) days as active-retired members

Section 4. 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 Constitution of this Local. **In order to be in good standing a member must attend 3 meetings per calendar year with no more than two (2) excused absences. Excused absence includes Classes, Work, or calling in sick from shift.**

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 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 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 (15) 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 automatically suspend 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 any voice or vote in the Local or in the affairs of the International.

MEETINGS

Section 1. Time and Place

Regular meetings of this Local shall be held on the **third (3rd) Thursday** of each month at **a place to be determined**

Section 2. Special Meetings

Special meetings may be called by vote of the majority of the Executive Board. All members in good standing shall be notified of such special meeting at least seven (7) days prior **at the discretion of the Local** 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 **one (1) officer and seven (7) 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 legal or contractual obligations of the International or this Local

Section 5. Rules for Meetings

The rules contained in **Roberts Rule of Order** shall govern the meetings of this Local in all cases not in conflict with this Constitution and By-Laws, or Constitution and By-Laws of the International, or interpretation of these documents

ARTICLE 5

OFFICERS AND ELECTIONS

Section 1. Number and Titles

The officers of this Local shall consist of a President, Vice President, Secretary, Treasurer and **2** members of the Executive Board, who shall hold office for **2** 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 in good standing shall be eligible to be a candidate for office 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 Executive Board. There shall be no discrimination in favor of or against any 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 offices

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 **thirty (30)** days advance notice, in writing, of the date, time and place at which nominations shall be made, and at least **thirty (30)** days advance notice, in writing, sent by mail to the last known address of the member, of the date, time and place 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 a given office, such candidate shall be declared elected. There shall be no voting by proxy in the election of Local offices. The candidate receiving a majority of the ballots cast shall be declared elected. If no candidate receives the 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 elected results in a tie between candidates, the winning candidate for office shall be selected by the drawing of lots in the presence of both candidates. **The President or presiding officer will only vote in the event of a tie.**

The terms for each elected office shall be two (2) years

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 (1) year following such election

Section 8. Vacancies in Office

When an office 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 (30) 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 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 of 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 of 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 to be maintained by the Local such records as the law requires to be kept in support of reports filed by the Local

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

The President will represent the Local in all legal matters, and interaction with the public in an official matter

Section 2. 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, he/she shall preside at meetings of the Local and of the Executive Board. If the office of President becomes vacant, the Vice President shall be the acting President until the office of President is filled by the Executive Board

Section 3. Local Secretary

The secretary shall have custody of all documents, records, books and papers belonging to the Local, except as may be otherwise provided by the Constitution and By-Laws. He/she shall keep an accurate record of meetings of the Local and the Executive Board, of which he/she shall be the Secretary. He/she shall attest all official documents with his/her signature and the seal of the Local. He/she shall conduct the correspondence of the Local promptly. He/she shall maintain the official list of members in good standing, which shall be kept accurately on a current basis.

The Secretary shall discharge on behalf of the Local such duties as may be imposed upon him/her by applicable law the execution and filing of any reports to federal or state authorities, and he/she shall cause to be maintained by Local such records as law requires to be kept in support of reports filed by the Local

Section 4. 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 assessments and all financial transactions promptly and accurately entered. He/she shall forward the annual audit of the Local to the International General Secretary-Treasurer over the seal of the Local

Section 5. Local Executive Board

The Executive Board shall consist of the President, Vice President, Secretary and Treasurer, and **two (2)** members who are elected at the time of elections. It shall be the duty of the Executive Board to exercise general supervision and control of the investment 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. **The two (2) members elected shall provide for an annual audit of the Treasurer's books.** It shall meet at the call of the President or upon call signed by a majority of its members. A majority shall constitute a quorum.

Section 6. Bonding

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 Board of Trustees and the International General Secretary-Treasurer in compliance with applicable law. The expense for the first \$5,000 of bond shall be borne by the International. If additional bond is necessary, the Local shall pay of its current liquid assets.

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 members in good standing

Section 2. Alternates

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

ARTICLE 8

INITIATION FEES, DUES AND ASSESSMENTS

Section 1. Initiation Fees

Initiation fees shall be paid by this Local in the amount of ten (10) dollars of this amount shall be submitted to the IAFF

Section 2. Dues

Dues shall be \$ 30.00 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 (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 of the members in good standing, by secret ballot, at a general or special meeting

Section 4. Increase 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 (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 of the members in good standing, by secret ballot, at a general or special meeting.

Section 5. Reinstatement Fees

Reinstatement fees shall be \$40.00, plus all back dues and assessments. Ten dollars (\$10.00) of this amount shall be submitted to the IAFF

ARTICLE 9

MISCONDUCT AND TRIALS

Section 1. Misconducts 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 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

Appeals may be made in accordance with Article XVIII of the International Constitution and By-Laws. Such appeals must be filed with the General President of the Association within thirty (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 the audit shall be forwarded to the International General Secretary-Treasurer over the seal of the

Local within one hundred eighty (180) 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 may be amended by two-thirds (2/3) vote (except for changes in dues and assessments, initiation and reinstatement fees, which shall require a majority vote, as provided in Article 8, Sections 3 & 4) at a regular meeting provide 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. Adopted Amendments

A proposed amendment to this Constitution and By-Laws shall be submitted for approval to the International General President after it has been adopted by the membership and prior to its printing or issuance